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Filing date: **10/28/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	77149025
Applicant	General Marketing Capital, Inc.
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Submission	Motion to Dismiss Ex Parte Appeal (Mootness)
Attachments	JYCCI-009T-MotiontoDismiss.pdf ( 2 pages )(98976 bytes )
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Signature	/Robert D. Buyan/
Date	10/28/2008

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Application No. : 77/149,025  
Mark : YENKO  
Intl. Class(es) : 06, 012  
Applicant : General Marketing Capital, Inc  
Examining Atty. : Andrea R. Hack  
Law Office : 108  
Attorney Docket No. : JYCCI-009T

**APPELLANT'S MOTION TO DISMISS EX PARTE APPEAL**

BOX TTAB  
COMMISSIONER FOR TRADEMARKS  
P.O. Box 1451  
Alexandria, VA 22313-1451

Dear Sir:

Applicant's attorney recently conducted a telephonic interview with the Examining Attorney. During that interview, and Examiner's amendment was entered deleting all goods in International Class 006 without prejudice to Applicant's right to seek registration of the YENKO mark for those same or other goods in Class 006 by way of a subsequently filed separate application. Also, in view of this amendment, the Examining Attorney has passed this application to publication. Thus, this *ex parte* appeal is now moot and dismissal of this *ex parte* appeal is hereby requested.

No fee is seen to be due in connection with this filing. However, if any fee is properly

