

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
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RR

Mailed: November 24, 2008

In re Diabetes America, Inc.

Serial No. **77183690**

Filed: 5/17/07

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Applicant appealed from the decision of the Trademark Examining Attorney refusing registration, but did not file a brief within the time set therefor in the Office action of *September 9, 2008*. The appeal in the above-entitled application is therefore dismissed. See: Trademark Rule 2.142(b).

***By the Trademark Trial
and Appeal Board***