

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.

In re application of : LA POLLA INDUSTRIES, INC.
 Serial No. : 77/626,778
 Filed : December 4, 2008
 Mark : **THERM-O-FLEX**
 Trademark Attorney : John Kelly
 Law Office : 117
 Our File No. : 1127.7009

CERTIFICATE OF MAILING

I hereby certify that this correspondence, and any attachments thereto, is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Trademarks, Post Office Box 1451, Alexandria, VA 22313-1451

BETTY BERNAL
 Name of Person Mailing
 Paper

Betty Bernal
 Signature

4/21/2010
 Date

NOTICE OF APPEAL

Assistant Commissioner for Trademarks
 P. O. Box 1451
 Alexandria, VA 22313-1451

Dear Sir:

Applicant hereby appeals to the Trademark Trial and Appeal Board from the final refusal of the Examining Attorney dated October 21, 2009.

The Commissioner is hereby authorized to charge the Notice of Appeal fee and any additional fees which may be required, including extensions of time, to Account No. 503180.

Respectfully submitted,



Daniel S. Polley, Registration No. 34,902

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CUSTOMER NO. 44538



04-26-2010