

ESTTA Tracking number: **ESTTA705555**

Filing date: **10/29/2015**

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

Application Serial No.	77816672
Applicant	Marcel's Gourmet Frozen Yoghurt (Pty) Ltd

Notice of Appeal

Notice is hereby given that Marcel's Gourmet Frozen Yoghurt (Pty) Ltd appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 77816672.

Applicant has filed a request for reconsideration of the refusal to register, and requests suspension of the appeal pending consideration of the request by the Examining Attorney.

The refusal to register has been appealed as to the following classes of goods/services:

- Class 029. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Milk; milk based beverages, namely, beverages consisting principally of milk; yogurt; yogurt based beverages
- Class 030. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Frozen yogurts and confections made from or with yogurt; ice cream; ice cream drinks; ices; milk shakes

Respectfully submitted,

/jas/

10/29/2015

JEFFREY A. SMITH

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.

2200 CLARENDON BLVD STE 1400

ARLINGTON, VA 22201-3360

UNITED STATES

smithj@mwzb.com, docketing@mwzb.com

(703) 465-5355