

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

In re application:

Serial No. : 78/103586
Mark : KNOWLEDGE DELIVERY SYSTEMS
Class : 41
Applicant : Knowledge Delivery Systems, Inc.
Filed : January 18, 2002
Law Office : 110
Attorney : Rebecca Smith, Esq.

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

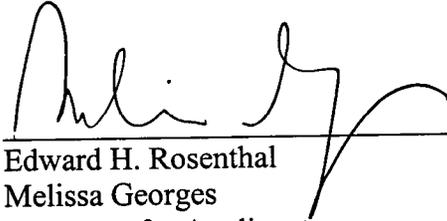
EX PARTE APPEAL

Applicant, Knowledge Delivery Systems, Inc., hereby appeals to the Trademark Trial and Appeal Board from the decision of the Examiner of Trademarks refusing registration.

Applicant will file, in accordance with Rule 2.142 (b) (1), a brief within sixty days of the date of this appeal. The filing fee is to be deducted from our Deposit Account No. 06-1839.

Respectfully submitted,

FRANKFURT KURNIT KLEIN & SELZ,
PC



By:

Edward H. Rosenthal
Melissa Georges
Attorneys for Applicant
488 Madison Avenue
New York, NY 10022
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Dated: May 18, 2004

TTAB

FRANKFURT KURNIT KLEIN & SELZ PC

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EXPRESS MAIL CERTIFICATE

"Express Mail" mailing label number EV038069864US
Date of Deposit May 19, 2004. I hereby certify that this paper
or fee is being deposited with the United States Postal Service
"Express Mail Post Office to Addressee" service under 37 CFR 1.10
on the date indicated above and is addressed to the Commissioner
for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514.

Christina Matthews
Paralegal
Direct: (212) 826-5573
e-mail:
cmatthews@fkkslaw.com

Christina Matthews
Print
Christina Matthews
Signature

May 19, 2004

Via Express Mail

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

Re: Trademark Application No. 78/103586
Mark: **KNOWLEDGE DELIVERY SYSTEMS**
Class: 41
Our Ref. No. 8567-0300-4937

Dear Sir/Madam:

We enclose herewith:

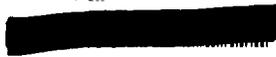
1. Ex Parte Appeal; and
2. Postcard receipt.

This request is being submitted in triplicate as required by 37 CFR § 2.102(d). Please charge the filing fee to Deposit Account No. 06-1839. Please stamp the enclosed postcard to acknowledge receipt.

Respectfully submitted,

Christina Matthews
Christina Matthews

Enclosures



05-21-2004