

PTO Form 1830 (Rev 8/2007)

OMB No. 0651-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	78929969
LAW OFFICE ASSIGNED	LAW OFFICE 114
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (030)(current)	
INTERNATIONAL CLASS	030
DESCRIPTION	
chocolate; confectionery, namely, candies; gift baskets containing candies; vitamin bars, energy bars, nutrition bars for consumption	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (030)(proposed)	
INTERNATIONAL CLASS	030
DESCRIPTION	
chocolate; confectionery, namely, candies; gift baskets containing candies.	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (005)(class added)	
INTERNATIONAL CLASS	005
DESCRIPTION	Energy bars, nutrition bars for consumption.
FILING BASIS	Section 1(b)
PAYMENT SECTION	
NUMBER OF CLASSES	1
FEE PER CLASS	325
TOTAL FEES DUE	325
SIGNATURE SECTION	

DECLARATION SIGNATURE	/Stuart J. Sinder/
SIGNATORY'S NAME	Stuart J. Sinder, Esq.
SIGNATORY'S POSITION	Attorney of Record
DATE SIGNED	10/29/2007
RESPONSE SIGNATURE	/Stuart J. Sinder/
SIGNATORY'S NAME	Stuart J. Sinder, Esq.
SIGNATORY'S POSITION	Attorney of Record
DATE SIGNED	10/29/2007
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Oct 29 16:36:01 EDT 2007
TEAS STAMP	USPTO/RFR-65.246.216.100- 20071029163601023645-7892 9969-4001af97fc085dd14539 f8721d778fb926c-DA-10865- 20071029162835438603

PTO Form 1930 (Rev 9/2007)

OMB No. 0651-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. 78929969 has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 030 for chocolate; confectionery, namely, candies; gift baskets containing candies; vitamin bars, energy bars, nutrition bars for consumption

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Proposed: Class 030 for chocolate; confectionery, namely, candies; gift baskets containing candies.

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through

the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Applicant hereby adds the following class of goods/services to the application:

New: Class 005 for Energy bars, nutrition bars for consumption.

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

FEE(S)

Fee(s) in the amount of \$325 is being submitted.

SIGNATURE(S)

Declaration Signature

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii). If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods or services listed in the application as of the application filing date. 37 C.F.R. Secs. 2.34(a)(1)(i). The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. §1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /Stuart J. Sinder/ Date: 10/29/2007

Signatory's Name: Stuart J. Sinder, Esq.

Signatory's Position: Attorney of Record

Request for Reconsideration Signature

Signature: /Stuart J. Sinder/ Date: 10/29/2007

Signatory's Name: Stuart J. Sinder, Esq.

Signatory's Position: Attorney of Record

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the

applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

RAM Sale Number: 10865

RAM Accounting Date: 10/30/2007

Serial Number: 78929969

Internet Transmission Date: Mon Oct 29 16:36:01 EDT 2007

TEAS Stamp: USPTO/RFR-65.246.216.100-200710291636010

23645-78929969-4001af97fc085dd14539f8721

d778fb926c-DA-10865-20071029162835438603

RAM SALE NUMBER: 10865
RAM ACCOUNTING DATE: 20071030

INTERNET TRANSMISSION DATE:
2007/10/29

SERIAL NUMBER:
78/929969

Description	Fee Code	Transaction Date	Fee	Number Of Classes	Total Fees Paid
New App	7001	2007/10/29	325	1	325