

ESTTA Tracking number: **ESTTA442196**

Filing date: **11/21/2011**

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

Application Serial No.	78945969
Applicant	LUNA ROSSA WINERY, INC.

## Notice of Appeal

Notice is hereby given that LUNA ROSSA WINERY, INC. appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 78945969.

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 class of goods/services:

- Class 035. First Use: 2005/06/11 First Use In Commerce: 2005/06/11  
All goods and services in the class are appealed, namely: Retail store services, namely, retail winery stores and on-line internet retail winery stores featuring wine, wine glasses and champagne flutes, excluding wine-making kits consisting primarily of fruit juices and/or fruit juice concentrates and chemical additives

Respectfully submitted,  
/Kevin Lynn Wildenstein/  
11/21/2011

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