

ESTTA Tracking number: **ESTTA269637**

Filing date: **03/02/2009**

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

Application Serial No.	78980518
Applicant	Mastronardi Produce Ltd.

Notice of Appeal

Notice is hereby given that Mastronardi Produce Ltd. appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 78980518.

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 031.

All goods and services in the class are appealed, namely: fresh tomatoes, raw tomatoes, and unprocessed tomatoes

Respectfully submitted,
/Kurt Koenig/
03/02/2009

Kurt Koenig

Koenig & Associates

PO Box 1140

Summerland, CA 93067

UNITED STATES

Kurt@incip.com

805-965-4400