

From: Evanko, Patty

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To: TTAB EFiling

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Subject: U.S. TRADEMARK APPLICATION NO. 78980518 - CAMPARI - MAS-22480/08 - Request for
Reconsideration Denied - Return to TTAB

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Files: 78980518.doc

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

U.S. APPLICATION SERIAL NO. 78980518

MARK: CAMPARI



CORRESPONDENT ADDRESS:

Mark D. Schneider

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2701 Troy Center Drive, Suite 330

Troy MI 48084

GENERAL TRADEMARK INFORMATION:

<http://www.uspto.gov/trademarks/index.jsp>

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APPLICANT: Mastronardi Produce Ltd.

CORRESPONDENT'S REFERENCE/DOCKET NO:

MAS-22480/08

CORRESPONDENT E-MAIL ADDRESS:

docket@patlaw.com

REQUEST FOR RECONSIDERATION DENIED

ISSUE/MAILING DATE: 5/27/2015

The trademark examining attorney has carefully reviewed applicant's request for reconsideration and is denying the request for the reasons stated below. See 37 C.F.R. §2.63(b)(3); TMEP §§715.03(a)(ii)(B), 715.04(a). The following refusal made final in the Office action dated August 28, 2008 is maintained and

continues to be final: the refusal to register under Sections 1, 2 and 45 because CAMPARI is a varietal or cultivar name for tomatoes. See TMEP §§715.03(a)(ii)(B), 715.04(a).

In the present case, applicant's request has not resolved the outstanding issue, nor does it raise a new issue or provide any new or compelling evidence with regard to the outstanding issue in the final Office action. Specifically, the application was suspended pending the outcome of a cancellation proceeding brought against one of registrant's other marks, on the grounds that CAMPARI is a varietal name. The petition to cancel the mark was withdrawn and the proceeding was terminated without prejudice. Accordingly, the suspension is lifted and the request to reconsideration is denied.

The application will be returned to the Trademark Trial and Appeal Board and the Board will be notified to resume the appeal. See TMEP §715.04(a).

/Patty Evanko/

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