

ESTTA Tracking number: **ESTTA498855**

Filing date: **10/09/2012**

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

Application Serial No.	85365295
Applicant	E. Mishan & Sons, Inc.

Notice of Appeal

Notice is hereby given that E. Mishan & Sons, Inc. appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 85365295.

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 028.

All goods and services in the class are appealed, namely: Manually operated exercise equipment, namely, push-up assistance devices, thigh muscle toning devices, and wheels for floor abdominal exercises; exercise bands; straps for fitness training, namely, stretch-out straps; personal exercise mats; exercise balls; medicine balls; all for home use

Respectfully submitted,

/J137-1716JZ/

10/09/2012

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