

**United States Patent and Trademark Office**  
**Trademark Trial and Appeal Board**  
P.O. Box 1451  
Alexandria, VA 22313-1451

mc

Mailed: July 29, 2013

In re Precision Nutrition,  
Inc.

Serial No. 85489392

Filed: 12/7/2011

YANO RUBINSTEIN  
RUBINSTEIN LAW  
660 4TH ST # 302  
SAN FRANCISCO, CA 94107-1618

Applicant appealed from the decision of the Trademark Examining Attorney refusing registration, but did not file a brief within the time set therefor in the Office action of May 3, 2013. The appeal in the above-entitled application is therefore dismissed. See: Trademark Rule 2.142(b).

***By the Trademark Trial  
and Appeal Board***