

ESTTA Tracking number: **ESTTA646383**

Filing date: **12/22/2014**

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

Application Serial No.	86098613
Applicant	Early Morning LLC

## Notice of Appeal

Notice is hereby given that Early Morning LLC appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 86098613.

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. First Use: 1995/12/31 First Use In Commerce: 1995/12/31  
All goods and services in the class are appealed, namely: LIVE PLANTS

Respectfully submitted,  
/Gary J. Nelson/  
12/22/2014

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