

Via Fax to: 571 273 0059

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

App. Ser. No.	86318835
Applicant	Core Nutrition LLC

REQUEST FOR RECONSIDERATION
AND
NOTICE OF APPEAL

REQUEST FOR RECONSIDERATION: Applicant respectfully disagrees with examiner's refusal based on a likelihood of confusion with the mark in Reg. No. 3850158 and requests that examiner withdraw this refusal.

NOTICE OF APPEAL: Notice is hereby given that Core Nutrition LLC appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 86318835. Applicant requests suspension of the appeal pending consideration of the request for reconsideration by the Examining Attorney. The refusal to register has been appealed as to the following classes of goods/services:

- Class 032. First Use: 0 First Use In Commerce: 0

All goods and services in the class are appealed, namely: carbonated and noncarbonated probiotic fruit flavored drinks

Respectfully submitted,

/jrc/

08/2/2016

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**Please charge the following account \$100 for the notice of appeal: Deposit Acct No.:
133402, Code: 6283**

/jrc/

Jeffrey R. Cohen