



BOX RESPONSES -- NO FEE
TRADEMARK
2410-0224US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: EVER COMPANION FOOD CORP.
APPL. NO.: 77/194,584
FILED: May 31, 2007
MARK: KARMAKISSES and Chinese Characters
CLASS: 30
EXAMINER: Charles L. Jenkins, Jr.
LAW OFFICE: 105

MAR 11 2009

AMENDMENT

Commissioner for Trademarks
P. O. Box 1451
Alexandria, Virginia 22313

Sir:

The present application was published for opposition on November 4, 2008. On March 4, 2009, a Notice of Opposition was filed by Opposers Hershey Chocolate & Confectionery Corporation and The Hershey Company. In order to avoid said opposition, the following amendments and remarks are respectfully submitted in connection with the above-identified application.



03-11-2009

IN THE APPLICATION

Delete the entire identification of goods and substitute with the following:

--Tea; beverages made of tea; coffee; coffee based beverages containing milk; ice cream; salt; soy sauce; cooking or flavoring sauce; black and dark vinegar; vinegar; seasonings, spices and flavorings for food; sugar; natural sweeteners; honey; royal jelly for food purposes; molasses and maple syrups; chewing gum; candy mints, non-medicated lozenges and candy; rice crackers; snack mixes consisting of crackers, pretzels, candied nuts and/or popped popcorn; biscuits; cakes; breads; sandwiches; puddings; pies; dumplings; buns; spring rolls; egg rolls, egg dumplings; rice; processed wheat; rolled oats; flour; processed grains; pearl-like balls consisting of food starches made from cassava, tapioca, taro and/or sweet potatoes; sago, tapioca, pearl tapioca; glutinous rice; packaged meals consisting of rice; instant noodles; packaged meals consisting of noodles or pastas; dumplings; noodles; rice noodles; spring roll skins and wrappers; dough; yeasts; thickening agents for cooking or making foodstuff; flavored vinegar; all of the foregoing excluding chocolate candies, goods containing chocolate or cocoa, and goods categorized by chocolate or cocoa flavor, in International Class 30.--

REMARKS

The present Amendment has been filed at the request of Opposers, after the mark was published for opposition on November 4, 2008 and after a Notice of Opposition was filed on March 4, 2009.

Identification of Goods

As set forth hereinabove, the identification of goods in the present application has been amended by adding the phrase "all of the foregoing excluding chocolate candies, goods containing chocolate or cocoa, and goods categorized by chocolate or cocoa flavor" at the end of the identification of goods in International Class 30. Entry of the amended identification of goods into the official record is respectfully requested.

No Republication is Needed

Since the Applicant merely limited the scope of the identification of goods, it is believed that no republication of the present application is needed.

Attorney Docket No.: 2410-0224US1

Serial No.: 77/194,584

Law Office: 105

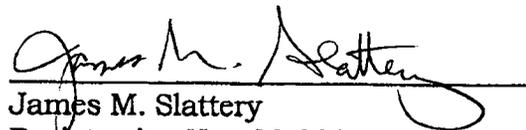
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Please charge any fees or credit any overpayment pursuant to 37 C.F.R. §
2.6 to Deposit Account No. 02-2448.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By:



James M. Slattery

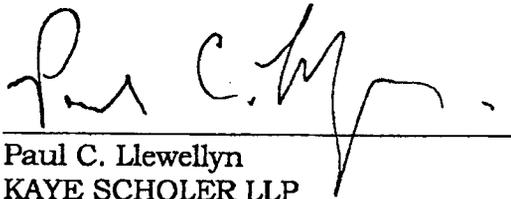
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