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OF COUNSEL

September 22, 2005

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Ms. Monique Tyson  
Paralegal Specialist  
United States Dep't of Commerce  
Patent and Trademark Office  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

Re: **Marion Sakow v. 2427-2429 Seafood Rest. Corp.,  
Cancellation No. 92040184; Registration No. 1682271**

Dear Ms. Tyson:

This Firm represents the respondent, 2427-2429 Seafood Restaurant Corp., in the above-referenced proceeding. I send this letter with the consent of the petitioner's attorneys.

Further to your notice dated September 9, 2005 requesting information on the status of the civil actions involving the trademark at issue herein (the "September 9 Notice"), please note the following:

1. **Sakow v. 633 Seafood Rest., Inc., et al.**, Sup. Ct., N.Y. Co. Index No. 606626/97 - this shareholder derivative suit brought by petitioner (the "Shareholder Action") as a shareholder of 633 Seafood Restaurant, Inc. ("633") was dismissed on summary judgment; petitioner has filed an appeal which will be heard in December 2005;
2. **Matter of Sakow**, Sup. Ct., N.Y. Co. Index No. 119225/02 - this petition for dissolution brought by petitioner (the "Dissolution Action") seeks the dissolution of 633. The parties to this proceeding have conceded the need for dissolution and will proceed to a valuation hearing in the future. Discovery in this proceeding has been held up as the Shareholder Action is litigated to resolution.

The parties to the instant proceeding continue to believe that the discovery proceedings and the resolution by the Court of issues in both the Shareholder Action and the Dissolution Action (collectively, the "State Court Actions"), will resolve some, if not all, of the major issues raised by petitioner herein.



09-26-2005

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ATTORNEYS-AT-LAW

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Accordingly, the parties continue to request that the instant proceeding remain in suspense until the resolution of the State Court Actions, including any appeals thereof.

Please note that this Firm never received a copy of the September 9 Notice and obtained same only when petitioner's counsel herein called to discuss the Notice. For your records, please note that the following is the correct contact information for the Respondents' herein:

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Please adjust your records accordingly.

Very truly yours,

  
Victor Rivera Jr

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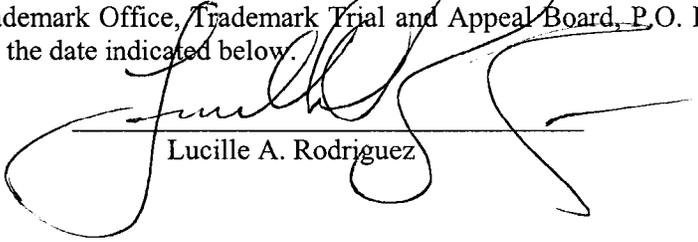
cc: Meyer A. Gross, Esq.  
Attorney for Petitioner

Mr. Barry Corwin  
Mr. Howard Levine  
Alan M. Lebensfeld, Esq.

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Ms. Monique Tyson, Paralegal Specialist, United States Department of Commerce, Patent and Trademark Office, Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, Virginia 22313-1451 on the date indicated below.

Dated: September 22, 2005

  
Lucille A. Rodriguez