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VICTOR RIVERA JR.  
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OF COUNSEL

November 13, 2006

Ms. Vionette Baez  
Paralegal Specialist  
United States 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. Baez:

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 November 2, 2006 requesting information on the status of the civil actions involving the trademark at issue herein, 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 on the grounds, *inter alia*, that petitioner's claims were barred by equitable principles of estoppel and delay; the dismissal was affirmed on appeal and the Shareholder Action can be considered finally decided;
2. **Matter of Sakow**, Sup. Ct., N.Y. Co. Index No. 119225/02 - this petition for dissolution brought by petitioner herein (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 just begun and an Order has been entered by the Court which requires the close of discovery by Summer 2007.

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



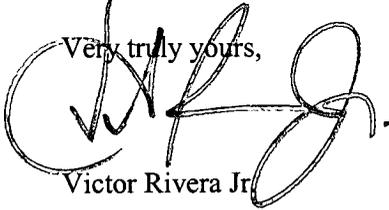
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November 13, 2006  
Page 2

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

Very truly yours,  
  
Victor Rivera Jr.

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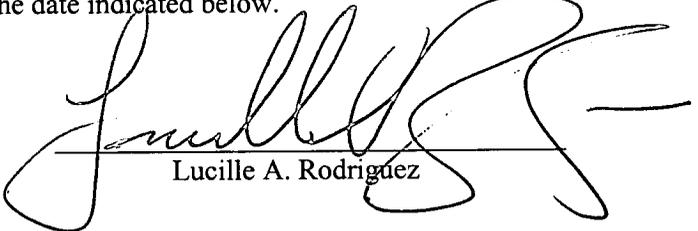
cc: Meyer A. Gross, Esq.  
Attorney for Petitioner

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. Vionette Baez, 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: November 13, 2006

  
Lucille A. Rodriguez