

ttab

EXPRESS MAIL NO. EV241979914US

ATTORNEY DOCKET NO. 2002-1276

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

In Re App : Sheldon F. Jacobs Co. )  
Ser. No. : 76/411,235 )  
Mark : AUNT TILLY LEWIS )  
Filed : May 20, 2002 )



01-09-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

TRADEMARK TRIAL AND APPEAL BOARD  
COMMISSIONER FOR TRADEMARKS  
2900 CRYSTAL DRIVE  
ARLINGTON, VA 22202-3514

CERTIFICATE VIA EXPRESS MAIL

Dear Trademark Trial and Appeal Board:

I hereby certify that the foregoing REQUEST FOR SUSPENSION OF APPEAL PURSUANT TO TBMP §1213(3) and attached Letter in the above-identified trademark application are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: TRADEMARK TRIAL AND APPEAL BOARD, COMMISSIONER FOR TRADEMARKS, 2900 Crystal Drive, Arlington, VA 22202-3514 under Express Mail No. Ev241979914US.

Respectfully submitted,

HAUGEN LAW FIRM PLLP

Christie J. Carper  
On Behalf of Eric O. Haugen  
Attorneys for Applicant  
121 S. Eighth Street  
1130 TCF Tower  
Minneapolis, MN 55402  
(612) 339-8300 - Telephone

Date: January 9, 2004

Attachments

EXPRESS MAIL NO. EV241979914US

ATTORNEY DOCKET NO. 2002-1276

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

\_\_\_\_\_  
In Re App : Sheldon F. Jacobs Co. )  
Ser. No. : 76/411,235 )  
Mark : AUNT TILLY LEWIS )  
Filed : May 20, 2002 )  
\_\_\_\_\_

TRADEMARK TRIAL AND APPEAL BOARD  
COMMISSIONER FOR TRADEMARKS  
2900 CRYSTAL DRIVE  
ARLINGTON, VA 22202-3514

LETTER

Dear Trademark Trial and Appeal Board:

Enclosed herewith is **REQUEST FOR SUSPENSION OF APPEAL PURSUANT TO TBMP §1213(3)** submitted in connection with Applicant's appeal of a final rejection of the above-captioned trademark application.


The Commissioner is authorized to charge any additional fees or refund any overpayment under 37 CFR 2.6 which may be required by this paper to Deposit Account No. 50-0789.

Of course, contact the undersigned with any questions you may have regarding the above.

Respectfully submitted,

HAUGEN LAW FIRM PLLP

Date: January 9, 2004

  
\_\_\_\_\_  
Eric O. Haugen  
Attorneys for Applicant  
121 S. Eighth Street  
1130 TCF Tower  
Minneapolis, MN 55402  
(612) 339-8300 - Telephone

EXPRESS MAIL NO. EV241979914US

ATTORNEY DOCKET NO. 2002-1276

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

_____ )	
In Re App :	Sheldon F. Jacobs Co. )
Ser. No. :	76/411,235 )
Mark :	AUNT TILLY LEWIS )
Filed:	May 20, 2002 )
_____ )	



01-09-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

TRADEMARK TRIAL AND APPEAL BOARD  
COMMISSIONER FOR TRADEMARKS  
2900 CRYSTAL DRIVE  
ARLINGTON, VA 22202-3514

**REQUEST FOR SUSPENSION OF APPEAL PURSUANT TO TEMP §1213(3)**

Pursuant to TBMP §1213(3), Applicant hereby requests suspension of these proceedings pending a determination as to whether the registration cited against Applicant is renewed under Section 9 of the Lanham Act. The registration cited against Applicant is on the mark TILLIE LEWIS, and bears U.S. Reg. No. 759,315. This mark was registered on October 29, 1963, and thus will need to be renewed no later than April 29, 2004 (taking into account the six month grace period). A copy of information retrieved off of the TARR web server is enclosed.

Section 1213(3) allows for suspension when:

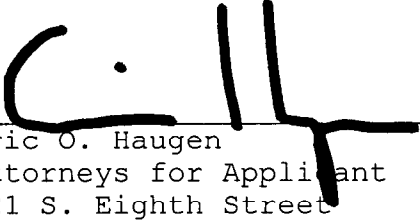
A registration cited as a reference, under Section 2(d) of the Act, 15 U.S.C. §1052(d), against applicant's mark is due, or will soon be due, . . . for an application for renewal under Section 9 of the Act, 15 U.S.C. §1059. Board may suspend pending determination of whether registration will continue in existence or will, instead, . . . expire under Section 9. . . If an applicant requests suspension based on the possibility that the cited registration may have expired for failure to renew it, the Board will grant such request if the Board acts on the request after . . . the 19<sup>th</sup> anniversary date of the issue date for twenty-year registrations (registrations which issued prior to November 16, 1989 and which have not yet been renewed).

Based on the above, suspension is respectfully requested.

Respectfully submitted,

HAUGEN LAW FIRM PLLP

Date: January 9, 2004



---

Eric O. Haugen  
Attorneys for Applicant  
121 S. Eighth Street  
1130 TCF Tower  
Minneapolis, MN 55402  
(612) 339-8300 - Telephone

Attachments



## UNITED STATES PATENT AND TRADEMARK OFFICE

[Home](#)
[Index](#)
[Search](#)
[System Alerts](#)
[eBusiness Center](#)
[News & Notices](#)
[Contact Us](#)
**Trademark Electronic Search System(Tess)**

TESS was last updated on Fri Jan 9 04:25:59 EST 2004

<a href="#">PTO HOME</a>	<a href="#">TRADEMARK</a>	<a href="#">TESS HOME</a>	<a href="#">NEW USER</a>	<a href="#">STRUCTURED</a>	<a href="#">FREE FORM</a>	<a href="#">BROWSE DICT</a>	<a href="#">BOTTOM</a>	<a href="#">HELP</a>	<a href="#">PREV LIST</a>
<a href="#">CURR LIST</a>	<a href="#">NEXT LIST</a>	<a href="#">FIRST DOC</a>	<a href="#">PREV DOC</a>	<a href="#">NEXT DOC</a>	<a href="#">LAST DOC</a>				

[Logout](#) | Please logout when you are done to release system resources allocated for you.

 Start | List At:  OR [Jump](#) | to record:  **Record 11 out of 20**

<a href="#">Check Status</a>	(TARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)
------------------------------	--

# TILLIE LEWIS

**Word Mark** TILLIE LEWIS

**Goods and Services** IC 029 030 031. US 046. G & S: Dietetic Food Products-Namely, Fruit Jellies, Preserves and Jam; [ Pudding Desserts; Pudding and Pie Fillings; Gelatin Desserts; ] Fruit and Otherwise Flavored Preparations in the Nature of Syrups for Use as Dessert Toppings; Salad Dressing; [ Canned Fruit Juices; ] Canned Fruits; Canned Vegetables; an Artificially Sweetened Maple Flavored Preparation in the Nature of a Syrup for Use on Pancakes and Waffles; Liquid Sweetener; [ Salt Substitute; ] Sugar Substitute. FIRST USE: 19540310. FIRST USE IN COMMERCE: 19540310

**Mark Drawing Code** (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

**Serial Number** 72148248

**Filing Date** July 2, 1962

**Current Filing Basis** 1A

**Original Filing Basis** 1A

**Registration Number** 0759315

**Registration Date** October 29, 1963

**Owner** (REGISTRANT) **TILLIE LEWIS FOODS, INC. CORPORATION** CALIFORNIA  
DRAWER J STOCKTON CALIFORNIA

(LAST LISTED OWNER) Ogden Food Products Corporation CORPORATION  
DELAWARE Stockton CALIFORNIA

**Assignment Recorded** ASSIGNMENT RECORDED

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Renewal** 1ST RENEWAL 19831029

**Other Data** "TILLIE LEWIS" IDENTIFIES MRS. MEYER L. LEWIS, WHOSE CONSENT IS OF RECORD.

**Live/Dead Indicator** LIVE

---

<a href="#">PTO HOME</a>	<a href="#">TRADEMARK</a>	<a href="#">TESS HOME</a>	<a href="#">NEW USER</a>	<a href="#">STRUCTURED</a>	<a href="#">FREE FORM</a>	<a href="#">BROWSER DICT</a>	<a href="#">TOP</a>	<a href="#">HELP</a>	<a href="#">PREV LIST</a>
<a href="#">CURR LIST</a>	<a href="#">NEXT LIST</a>	<a href="#">FIRST DOC</a>	<a href="#">PREV DOC</a>	<a href="#">NEXT DOC</a>	<a href="#">LAST DOC</a>				

---

[HOME](#) | [INDEX](#) | [SEARCH](#) | [SYSTEM ALERTS](#) | [BUSINESS CENTER](#) | [NEWS&NOTICES](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2004-01-09 15:46:14 ET

Serial Number: 72148248

Registration Number: 759315

Mark

**TILLIE LEWIS**

(words only): TILLIE LEWIS

Standard Character claim: No

Current Status: Registered.

Date of Status: 1984-01-31

Filing Date: 1962-07-02

Transformed into a National Application: No

Registration Date: 1963-10-29

Register: Principal

Law Office Assigned: Unknown

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: 900 -Warehouse (Newington)

Date In Location: 1986-08-07

---

**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. Ogden Food Products Corporation

**Address:**  
Ogden Food Products Corporation  
Stockton, CA

United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

---

**GOODS AND/OR SERVICES**

---

Dietetic Food Products-Namely, Fruit Jellies, Preserves and Jam; Fruit and Otherwise Flavored Preparations in the Nature of Syrups for Use as Dessert Toppings; Salad Dressing; Canned Fruits; Canned Vegetables; an Artificially Sweetened Maple Flavored Preparation in the Nature of a Syrup for Use on Pancakes and Waffles; Liquid Sweetener; Sugar Substitute

**U.S. Class:** 046 (International Class 029, 030, 031)

**First Use Date:** 1954-03-10

**First Use in Commerce Date:** 1954-03-10

**Basis:** 1(a)

---

**ADDITIONAL INFORMATION**

---

**Name Portrait Consent:** "TILLIE LEWIS" IDENTIFIES MRS. MEYER L. LEWIS, WHOSE CONSENT IS OF RECORD.

---

**MADRID PROTOCOL INFORMATION**

---

(NOT AVAILABLE)

---

**PROSECUTION HISTORY**

---

1983-10-29 - Registration renewed - 20 year

---

**CONTACT INFORMATION**

---

(NOT AVAILABLE)

---