

ESTTA Tracking number: **ESTTA213797**

Filing date: **05/27/2008**

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

Application Serial No.	77009830
Applicant	CUMMING, LLC

## Notice of Appeal

Notice is hereby given that CUMMING, LLC appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 77009830.

The refusal to register has been appealed as to the following classes of goods/services:

- Class 035.  
All goods and services in the class are appealed, namely: Estimating contracting work in the field of construction; cost analyses
- Class 037.  
All goods and services in the class are appealed, namely: Construction planning, construction management in the nature of supervision

Respectfully submitted,  
/marvin h kleinberg/  
05/27/2008

**MARVIN H. KLEINBERG**  
**KLEINBERG & LERNER, LLP**  
**2049 CENTURY PARK E STE 1080**  
**LOS ANGELES, CA 90067-3112**  
**UNITED STATES**  
**trademarks@kleinberglerner.com**