

ESTTA Tracking number: **ESTTA406431**

Filing date: **04/29/2011**

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

Application Serial No.	77893026
Applicant	Sargento Foods, Inc.

Notice of Appeal

Notice is hereby given that Sargento Foods, Inc. appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 77893026.

Applicant has filed a request for reconsideration of the refusal to register, and requests suspension of the appeal pending consideration of the request by the Examining Attorney.

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

- Class 029. First Use: 2009/10/27 First Use In Commerce: 2009/10/27
All goods and services in the class are appealed, namely: cheese; food package combinations consisting primarily of cheese, meat and/or processed fruit; refrigerated food package combinations consisting primarily of meat, cheese or processed vegetables for purposes of creating a sandwich; prepared food kits composed of meat, poultry, fish, seafood, and/or vegetables and also including sauces or seasonings, ready for cooking and assembly as a meal
- Class 030. First Use: 2009/10/27 First Use In Commerce: 2009/10/27
All goods and services in the class are appealed, namely: Packaged meal kits consisting primarily of pasta or rice; sauces; seasoning mixes; seasoning mixes for soups; flavorings

Respectfully submitted,

/dek/

04/29/2011

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