



05-03-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #76

**THE UNITED STATE PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Application of Roseville
Communications Company

NOTICE OF APPEAL

Mark: SACRAMENTO LITTLE BOOK

Serial No: 78/022570

Paula B. Mays
Examining Attorney
Law Office 102
(703) 308-9102 ext. 159

Filed: February 12, 2001

TRADEMARK TRIAL AND
APPEAL BOARD
02 MAY 13 AM 8:23

Box TTAB FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

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: Box TTAB FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, on April 29, 2002.

By: Connie Lee
Connie Lee

April 29, 2002

Notice of Appeal

Applicant Roseville Communications Company (“Applicant”) hereby appeals to the Trademark Trial and Appeal Board from the October 29, 2001 final decision of the United States Patent & Trademark Office Examining Attorney refusing registration of the above-referenced mark “SACRAMENTO LITTLE BOOK”.

The basis for appeal is as follows: the Examining Attorney issued a final refusal on October 29, 2001, based on likelihood of confusion with another mark. After a request for reconsideration, the Examining Attorney issued a February 4, 2002

continuation of final refusal which refused amendment to the Supplemental Register for the proposed mark on the grounds that an acceptable amendment to allege use/statement of use ("Amendment/Statement") had not yet been filed with the Trademark Office. In response to the Examining Attorney's objection, Applicant submitted an Amendment/Statement with the Trademark Office on April 1, 2002.

The Trademark Office records indicate that the Amendment to Allege Use/Statement of Use was received by the Trademark Office on April 8, 2002, however no action has yet been taken on the Amendment/Statement. Accordingly, Applicant cannot amend the application to the Supplemental Register prior to the April 29, 2002 appeal deadline. Applicant intends to amend the application to the Supplemental Register immediately upon receipt of notice from the Trademark Office that the Amendment/Statement has been accepted. Applicant files the instant appeal to preserve its right to appeal during the review of the Amendment/Statement of Use.


Pursuant to Trademark Rule 2.6, 37 C.F.R. § 2.6, the filing fee of \$100 should be charged to this firm's Deposit Account No. 501410. The Commissioner is also authorized to charge any additional fees which may be required, or credit any overpayment, to that

Deposit Account.

Dated: April 29, 2002

Respectfully submitted,

Roseville Communications Company



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Cooper, White & Cooper LLP
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SF:438864.1/11068-32504



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April 29, 2002

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Attn: Paula B. Mays
Examining Attorney

Re: MARK: SACRAMENTO LITTLE BOOK
Ser. No.: 78/022570
Applicant: Roseville Communications Company

Dear Ms. Mays:

Enclosed for filing are:

1. Applicant's Notice of Appeal and
2. A self-addressed, stamped postcard to serve as notification of receipt.

Should you require anything further please call Cyrus P. Wadia at 415 433-1900.
Thank you for your assistance.

Very truly yours,

COOPER, WHITE & COOPER, LLP

Connie D. Lee
Legal Assistant

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Encls

TRADEMARK TARIFF AND
APPEAL DIVISION
02 MAY 13 AM 8:23