

United States Patent and Trademark Office
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: October 25, 2004

In re ANNIE'S HOMEGROWN, INC.

Serial No. 78226703

Filed: 03/18/2003

MARK E. BARON
KIRKPATRICK & LOCKHART, LLP
75 STATE STREET
BOSTON, MA 02109-1808

Angela Campbell, Paralegal Specialist:

Applicant's appeal and request for reconsideration filed September 13, 2004 are noted.

The request for reconsideration requires consideration by the Trademark Examining Attorney. The appeal is instituted, but action on it is suspended and the file is herewith remanded to the Examining Attorney.

In the event registrability is found on the basis of this paper, the appeal will be moot. In the event the refusal of registration is ultimately maintained, the file should be returned to the Trademark Trial and Appeal Board, proceedings will be resumed and applicant will be allowed time in which to file its brief on appeal.