

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

In the matter of trademark application Serial No. 78/271,067

For the mark DELMONICO'S

Filing Date: July 7, 2003

Applicant: Southwestern Management, Inc.

Commissioner for Trademarks
Attn: TTAB
2900 Crystal Drive
Arlington, VA 22202-3513

TTAB

NOTICE OF APPEAL

Applicant appeals from the decision of the Trademark Examining Attorney finally refusing registration, set forth in the Office Action dated March 4, 2004.

Applicant submits herewith a check in the amount of \$100.00 payable to the Commissioner for Trademarks as the ex parte appeal fee.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

By: 

Robert E. Purcell
Attorney for Applicant
Wall Marjama & Bilinski LLP
101 South Salina Street, Suite 400
Syracuse, NY 13202
Telephone: (315) 425-9000
Facsimile: (315) 425-9114

REP/cmn

Customer No.: 20874

PATENT TRADEMARK OFFICE

08-16-2004

U.S. Patent & TMO/c/TM Mail RoptDt. #22

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 16th day of August, 2004, the original foregoing **NOTICE OF APPEAL** was forwarded via Express Mail No. EV 333495333 US, postage paid, and addressed as follows:

Commissioner for Trademarks
Attn: TTAB
2900 Crystal Drive
Arlington, VA 22202-3513


