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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRADEMARK TRIAL AND APPEAL BOARD

Applicant: Paradise Beverages, Inc.
New Serial No.: Not Yet Assigned
Parent Serial No.: 78/337999
Filing Date: December 8, 2003
Mark: HAWAIIAN ISLANDS TEA COMPANY
Attny. Docket No: 0628-29T
Examining Attny: John S. Yard

Transmitted herewith is the following:

Notice of Appeal (2 pages) (original plus one copy)

Fee (\$100.00)

Check no. 087278 made payable to the Commissioner of Trademarks in the amount of \$100.00 is enclosed.

The Assistant Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application, without specific authorization, or credit any overpayment, to **Deposit Account No. 50-0453**.

A self-addressed return post card, identifying the correspondence is also enclosed.

I hereby certify that this correspondence, paper and/or fee is being deposited with the U.S. Postal Service with sufficient postage as "Express Mail Post Office to Addressee", under 37 CFR § 1.10, Mailing Label No. EV017364591US in an envelope addressed to Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451 on November 5, 2005.

Dated: Honolulu, Hawaii, November 5, 2005.



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ORIGINAL

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Commissioner For Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

NOTICE OF APPEAL

Applicant hereby appeals to the Trademark Trial and Appeal Board from the final office action dated May 6, 2005. A brief in support of this Appeal shall be submitted in due course.

Please note that Applicant is concurrently filing an Amendment and Request for Reconsideration. Applicant requests that this appeal be stayed pending a decision by the Examining Attorney regarding the Amendment and Request for Reconsideration.

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Express Mail No. EV017364591US

Please also note that Applicant is concurrently filing a Request to Divide Application, in which Applicant is requesting that all goods and services in International Class 30 be divided into a child application while goods and services in International Class 40 remain in the parent application. This appeal relates only to the child application.

FEE: A check in payment of the required fee is enclosed.



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Enclosure