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U.S. PATENT
AND
TRADEMARK OFFICE
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December 13, 2006

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

Applicant: Spirits of New Merced, LLC
Serial No.: 78710805
Filing Date: 09-12-2005
Mark: Yosemite Beer

NOTICE OF APPEAL

Applicant hereby appeals to the Trademark Trial and Appeal Board from the decision of the Trademark Examining Attorney refusing registration in the above-mentioned matter. Applicant requests relief in the form of registration of the mark "Yosemite Beer" on the Principal Register, or alternatively upon refusal, registration of the mark "Yosemite Beer" on the Supplemental Register.

Please also note that applicant has also submitted new evidence, accompanied by a Request for Reconsideration, to the Trademark Examining Attorney.

By




Kenneth A. Vogel, Esq.
Attorney for Applicant

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