

**United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451**

Mailed: April 29, 2008

In re

Serial No. 78960936

Filed: 8/25/06

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Tina Craven, Paralegal Specialist:

The notice of appeal filed by applicant on April 14, 2008, with a certificate of mailing dated April 10, 2008, is noted.

Since the final refusal by the Trademark Examining Attorney was dated September 28, 2008, applicant had until March 28, 2008 in which to file its appeal herein. See: Rule 2.142(a).

Applicant's appeal is accordingly untimely and cannot be instituted. The application therefore stands abandoned. See: Rule 2.141.

***By the Trademark Trial
and Appeal Board***