

PTO Form 1830 (Rev 9/2007)

OMB No. 0851-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79059826
LAW OFFICE ASSIGNED	LAW OFFICE 115
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	032
DESCRIPTION	
<p>NON-ALCOHOLIC BEVERAGES, NAMELY, NON-ALCOHOLIC APERITIFS, NON-ALCOHOLIC AERATED BEVERAGES, NON-ALCOHOLIC BEVERAGES CONTAINING FRUIT JUICES, NON-ALCOHOLIC BEVERAGES WITH TEA FLAVOR, NON-ALCOHOLIC COCKTAILS, LEMONADES, ISOTONIC BEVERAGES; NON-ALCOHOLIC FRUIT BEVERAGES, FRUIT NECTAR, SARSAPARILLA IN THE NATURE OF A NON-ALCOHOLIC BEVERAGE; SYRUPS FOR MAKING BEVERAGES; APPLE JUICES; FRUIT JUICES; NON-ALCOHOLIC FRUIT EXTRACTS, USED FOR MAKING BEVERAGES; ESSENCES FOR MAKING BEVERAGES, NAMELY, BEVERAGES; POWDERS USED FOR MAKING AERATED BEVERAGES, NAMELY, POWDERS USED FOR MAKING SOFT DRINKS; PREPARATIONS FOR MAKING BEVERAGES, NAMELY, FOR THE PREPARATION OF NON-ALCOHOLIC APERITIFS, NON-ALCOHOLIC AERATED BEVERAGES, NON-ALCOHOLIC BEVERAGES CONTAINING FRUIT JUICES, NON-ALCOHOLIC BEVERAGES WITH TEA FLAVOR, NON-ALCOHOLIC COCKTAILS, LEMONADES, ISOTONIC BEVERAGES, NON-ALCOHOLIC FRUIT BEVERAGES, FRUIT NECTAR, SARSAPARILLA IN THE NATURE OF A NON-ALCOHOLIC BEVERAGE</p>	
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	032
DESCRIPTION	
<p>NON-ALCOHOLIC BEVERAGES, NAMELY NON-ALCOHOLIC APERITIFS, NON-ALCOHOLIC AERATED BEVERAGES, NAMELY, BEVERAGES ON THE BASIS OF NATURAL, IDENTICAL TO NATURAL OR ARTIFICIAL FLAVORS IN POWDER LIKE, LIQUID OR MICROGRANULE FORM, NATURAL FRUIT AND BERRY JUICES, BEVERAGES MADE FROM WATER-SOLUBLE EXTRACTS ON THE BASIS OF NATURAL VEGETABLE RAW MATERIALS, SYRUPS FOR BEVERAGES AND ESSENCES FOR MAKING NON-ALCOHOLIC BEVERAGES NOT IN THE NATURE OF ESSENTIAL OILS, SODA WATER,</p>	

SELTZER WATER, KVASS, NON-ALCOHOLIC MALT BEVERAGES, NON-ALCOHOLIC BEVERAGES CONTAINING FRUIT JUICES, NON-ALCOHOLIC BEVERAGES WITH TEA FLAVOR, NON-ALCOHOLIC COCKTAILS, LEMONADES, ISOTONIC BEVERAGES; NON-ALCOHOLIC FRUIT BEVERAGES, FRUIT NECTAR, SARSAPARILLA IN THE NATURE OF A NON-ALCOHOLIC BEVERAGE; SYRUPS FOR MAKING BEVERAGES; APPLE JUICES; FRUIT JUICES; NON-ALCOHOLIC FRUIT EXTRACTS, USED FOR MAKING BEVERAGES; ESSENCES FOR MAKING NON-ALCOHOLIC BEVERAGES; POWDERS USED FOR MAKING AERATED BEVERAGES, NAMELY POWDERS USED FOR MAKING NON-ALCOHOLIC BEVERAGES; POWDERS FOR EFFERVESCING BEVERAGES, NAMELY POWDERS USED IN THE PREPARATION OF SOFT DRINKS; PREPARATIONS FOR MAKING BEVERAGES, NAMELY FOR THE PREPARATION OF NON-ALCOHOLIC APERITIFS, NON-ALCOHOLIC AERATED BEVERAGES, NON-ALCOHOLIC BEVERAGES CONTAINING FRUIT JUICES, NON-ALCOHOLIC BEVERAGES WITH TEA FLAVOR, NON-ALCOHOLIC COCKTAILS, LEMONADES, ISOTONIC BEVERAGES, NON-ALCOHOLIC FRUIT BEVERAGES, FRUIT NECTAR, SARSAPARILLA IN THE NATURE OF A NON-ALCOHOLIC BEVERAGE

SIGNATURE SECTION

RESPONSE SIGNATURE	/gfr4/
SIGNATORY'S NAME	G. Franklin Rothwell
SIGNATORY'S POSITION	Attorney of record, DC bar member
DATE SIGNED	12/04/2009
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES

FILING INFORMATION SECTION

SUBMIT DATE	Mon Dec 07 14:49:18 EST 2009
TEAS STAMP	USPTO/RFR-209.183.215.2-2 0091207144918037533-79059 826-460aa17266fdbf2533df9 41ad834af586a4-N/A-N/A-20 091204130442877344

PTO Form 1930 (Rev 9/2007)

OMB No. 0651-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action**To the Commissioner for Trademarks:**

Application serial no. 79059826 has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 032 for NON-ALCOHOLIC BEVERAGES, NAMELY, NON-ALCOHOLIC APERITIFS, NON-ALCOHOLIC AERATED BEVERAGES, NON-ALCOHOLIC BEVERAGES CONTAINING FRUIT JUICES, NON-ALCOHOLIC BEVERAGES WITH TEA FLAVOR, NON-ALCOHOLIC COCKTAILS, LEMONADES, ISOTONIC BEVERAGES; NON-ALCOHOLIC FRUIT BEVERAGES, FRUIT NECTAR, SARSAPARILLA IN THE NATURE OF A NON-ALCOHOLIC BEVERAGE; SYRUPS FOR MAKING BEVERAGES; APPLE JUICES; FRUIT JUICES; NON-ALCOHOLIC FRUIT EXTRACTS, USED FOR MAKING BEVERAGES; ESSENCES FOR MAKING BEVERAGES, NAMELY, BEVERAGES; POWDERS USED FOR MAKING AERATED BEVERAGES, NAMELY, POWDERS USED FOR MAKING SOFT DRINKS; PREPARATIONS FOR MAKING BEVERAGES, namely, FOR THE PREPARATION OF NON-ALCOHOLIC APERITIFS, NON-ALCOHOLIC AERATED BEVERAGES, NON-ALCOHOLIC BEVERAGES CONTAINING FRUIT JUICES, NON-ALCOHOLIC BEVERAGES WITH TEA FLAVOR, NON-ALCOHOLIC COCKTAILS, LEMONADES, ISOTONIC BEVERAGES, NON-ALCOHOLIC FRUIT BEVERAGES, FRUIT NECTAR, SARSAPARILLA IN THE NATURE OF A NON-ALCOHOLIC BEVERAGE

Original Filing Basis:

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed: Class 032 for NON-ALCOHOLIC BEVERAGES, NAMELY NON-ALCOHOLIC APERITIFS, NON-ALCOHOLIC AERATED BEVERAGES, NAMELY, BEVERAGES ON THE BASIS OF NATURAL, IDENTICAL TO NATURAL OR ARTIFICIAL FLAVORS IN POWDER LIKE, LIQUID OR MICROGRANULE FORM, NATURAL FRUIT AND BERRY JUICES, BEVERAGES MADE FROM WATER-SOLUBLE EXTRACTS ON THE BASIS OF NATURAL VEGETABLE RAW MATERIALS, SYRUPS FOR BEVERAGES AND ESSENCES FOR MAKING NON-ALCOHOLIC BEVERAGES NOT IN THE NATURE OF ESSENTIAL OILS, SODA WATER, SELTZER WATER, KVASS, NON-ALCOHOLIC MALT BEVERAGES, NON-ALCOHOLIC BEVERAGES CONTAINING FRUIT JUICES, NON-ALCOHOLIC BEVERAGES WITH TEA FLAVOR, NON-ALCOHOLIC COCKTAILS, LEMONADES, ISOTONIC BEVERAGES; NON-ALCOHOLIC FRUIT BEVERAGES, FRUIT NECTAR, SARSAPARILLA IN THE NATURE OF A NON-ALCOHOLIC BEVERAGE; SYRUPS FOR MAKING BEVERAGES; APPLE JUICES; FRUIT JUICES; NON-ALCOHOLIC FRUIT EXTRACTS, USED FOR MAKING BEVERAGES; ESSENCES FOR MAKING NON-ALCOHOLIC BEVERAGES; POWDERS USED FOR MAKING AERATED BEVERAGES, NAMELY POWDERS USED FOR MAKING NON-ALCOHOLIC BEVERAGES; POWDERS FOR EFFERVESCING BEVERAGES, NAMELY POWDERS USED IN THE PREPARATION OF SOFT DRINKS; PREPARATIONS FOR MAKING BEVERAGES, NAMELY FOR THE PREPARATION OF NON-ALCOHOLIC APERITIFS, NON-ALCOHOLIC AERATED BEVERAGES, NON-ALCOHOLIC BEVERAGES CONTAINING FRUIT JUICES, NON-ALCOHOLIC BEVERAGES WITH TEA FLAVOR, NON-ALCOHOLIC COCKTAILS, LEMONADES, ISOTONIC BEVERAGES, NON-ALCOHOLIC FRUIT BEVERAGES, FRUIT NECTAR, SARSAPARILLA IN THE NATURE OF A NON-ALCOHOLIC BEVERAGE

Filing Basis Section 66(a), Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /gfr4/ Date: 12/04/2009

Signatory's Name: G. Franklin Rothwell

Signatory's Position: Attorney of record, DC bar member

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 79059826

Internet Transmission Date: Mon Dec 07 14:49:18 EST 2009

TEAS Stamp: USPTO/RFR-209.183.215.2-2009120714491803

7533-79059826-460aa17266fdbf2533df941ad8

34af586a4-N/A-N/A-20091204130442877344