

**UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451**

Mailed: August 1, 2013

Applicant: Frosty King, Inc.  
Serial No.: 85255106  
Filed: 3/1/2011  
Mark: FROSTY KING

JAMES M DUNCAN  
KLEIN DENATALE GOLDNER  
PO BOX 11172  
BAKERSFIELD, CA 93389

**Clara Vela, Paralegal Specialist:**

The notice opposition filed on June 18, 2013 on behalf of Frosty King Inc. is noted.

Unfortunately, due to an administrative clerical error, the subject application matured into Registration No. 4330110. The Board regrets this situation, but is without authority to vacate the issuance of said registration.

Accordingly, the Board will forward the electronic record of the application file to the Office of the Commissioner for Trademarks for consideration of the cancellation of the inadvertently issued registration, following which further appropriate action will be taken with respect to the notice of opposition.