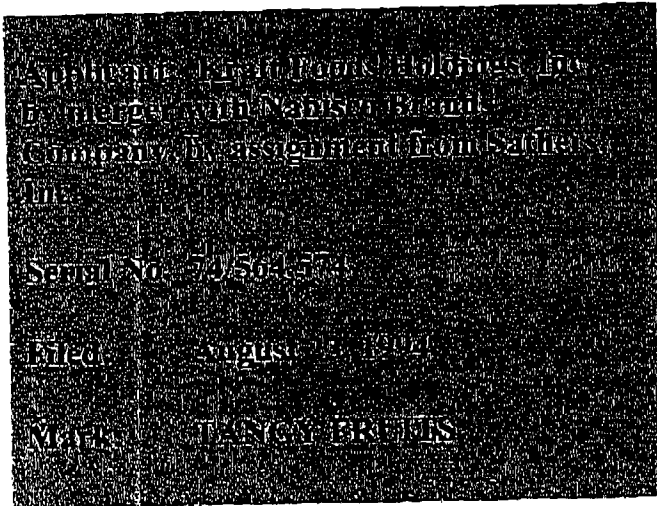


**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

**REQUEST FOR REINSTATEMENT OF APPLICATION**

Applicant has learned that the TARR database now lists the above-identified trademark application as "abandoned after TTAB proceeding." This status is in error and applicant requests that the application be reinstated.

Registration of the TANGY FRUITS mark by Sathers, Inc. was initially opposed by Nabisco, Inc. under Opposition No. 101,650. The Trademark Trial and Appeal Board decided in favor of the applicant, Sathers Inc., and dismissed the opposition in an opinion dated August 25, 1999 (copy attached). The Trademark Trial and Appeal Board subsequently denied Nabisco's motion for reconsideration of the decision, in an order dated October 20, 1999 (copy attached). Accordingly, the application should have proceeded to registration. Due to an error on the part of the Patent and Trademark Office, however, the application was abandoned.

Request for Reinstatement

2

74/564,574

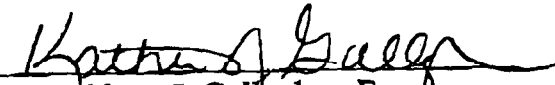
On November 19, 1999, Nabisco Brands Company acquired the rights to the TANGY FRUITS mark and the instant application. The assignment was recorded at Reel 001997/0471 *et seq.* Accordingly, the registration for TANGY FRUITS should have issued in the name of Nabisco Brands Company, by assignment from Sathers, Inc.

On July 29, 2001, Nabisco Brands Company merged with Kraft Foods Holdings, Inc. The surviving company is Kraft Foods Holdings, Inc. A copy of the certificate of merger is attached hereto.

In light of the attached documentation, Applicant respectfully requests withdrawal of the Notice of Abandonment and reinstatement of the application.

Respectfully Submitted,  
KRAFT FOODS HOLDINGS, INC.

Date: August 9, 2001

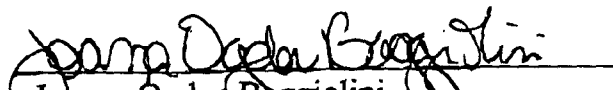
By:   
Kathleen J. Gallagher, Esq.  
Attorney for Applicant Kraft Foods Holdings,  
Inc.

c/o Nabisco Brands Company  
100 Spear Street, Suite 1630  
San Francisco, CA 94105  
Tel.: 415-547-1980

### CERTIFICATE OF MAILING

I hereby certify that the foregoing Request for Reinstatement is being deposited with the US Postal Service as first class mail, postage prepaid, in an envelope addressed to Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, this 9<sup>th</sup> day of August, 2001.

August 9, 2001

  
Joanna Ogden Baggiolini

DB



# Kraft Foods Law Department

Telecopy Cover Sheet

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