


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

GENERAL MILLS, INC. and	:	
	:	Opposition No. 91118482 (parent)
GENERAL MILLS IP	:	Opposition No. 91118950
HOLDINGS II, LLC,	:	Opposition No. 91155075
Opposers,	:	Opposition No. 91182937
	:	
v.	:	
	:	
FAGE DAIRY PROCESSING	:	
INDUSTRY, S.A.,	:	
	:	
Applicant.	:	
	:	

**APPLICANT FAGE DAIRY PROCESSING INDUSTRY, S.A.'S  
NOTICE OF APPEAL BY CIVIL ACTION**

Applicant Fage Dairy Processing Industry, S.A. hereby gives notice of its election to appeal the TTAB's decision issued on September 14, 2011 in the above-captioned opposition proceedings by civil action in district court pursuant to Trademark Act § 21(b), 15 U.S.C. § 1071(b), 37 C.F.R. § 2.145(c). This notice is filed in accord with 37 C.F.R. § 2.145(c)(4), TBMP § 903. Applicant filed its appeal with the United States District Court for the Northern District of New York on September 30, 2011, entitled *Fage Dairy Processing Industry, S.A. and Fage USA Dairy Industry, Inc. v. General Mills, Inc. and General Mills IP Holdings II, LLC*, Civil Action No. 6:11-CV-1174 (N.D.N.Y. 2011).

Dated: New York, New York  
October 4, 2011

By:   
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Attorneys for Applicant  
FAGE DAIRY PROCESSING INDUSTRY S.A.

**CERTIFICATE OF SERVICE**

I hereby certify that on October 4, 2011, a true and correct copy of Applicant's Notice of Appeal by Civil Action, was electronically filed with the Trademark Trial & Appeal Board and duly served on Opposers' counsel as follows:

**BY OVERNIGHT DELIVERY**

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Denise Bolden

Trademark Trial and Appeal Board Electronic Filing System. <http://estta.uspto.gov>

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Proceeding	91118482
Party	Defendant Fage Dairy Processing Industry S.A.
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Submission	Other Motions/Papers
Filer's Name	Virginia R. Richard
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Signature	/W&S/
Date	10/04/2011
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