

# TTAB

ATTORNEY DOCKET: 68817.50101  
TRADEMARK

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

In re: Trademark application of  
Paradise Kitchens, Inc.

Serial No: 78/379,360

Filed: March 5, 2004

Mark: PARADISE KITCHENS

Charles N. Quinn  
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Deposit Account: 50-1943

## RESPONSE TO NOTICE OF ABANDONMENT

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Sir:

On October 27, 2005, a Response to the final Office Action mailed May 10, 2005 was dispatched to the U.S. Patent and Trademark Office, along with a Notice of Appeal. A copy of the Response and Notice of Appeal are attached hereto as Attachment 1.

These papers were received by the U.S. Patent and Trademark Office on November 1, 2005. A copy of the stamped postcard acknowledging this receipt is attached hereto as Attachment 2.



On December 6, 2005, a review of the records of the U.S. Patent and Trademark Office for the above-identified trademark application reveals that neither the filing of the Response nor Notice of Appeal dispatched October 27, 2005 have been entered as a part of the record for this application and that the last entry for the Prosecution History is the final refusal e-mailed on May 10, 2005. A copy of the "Latest Status Info" dated December 6, 2005 is attached as Attachment 3.

On December 9, 2005, a Notice of Abandonment was issued. It should be noted that this paper did not receive the undersigned's office until December 20, 2005. A copy of this Notice of Abandonment is attached as Attachment 4.

In view of the above, the following is requested:

1. The Response dispatched to the U.S. Patent and Trademark Office on October 27, 2005 be entered into the record for the above-identified application.
2. In view of the timely filing of the Notice of Appeal, that the application be restored to pending status and that the appeal for this application be instituted.
3. That the Motion for Extension of Time attached hereto as Attachment 5 be granted.

To the extent there is any fee required in connection with the receipt, acceptance and/or consideration of declaration and/or any accompanying

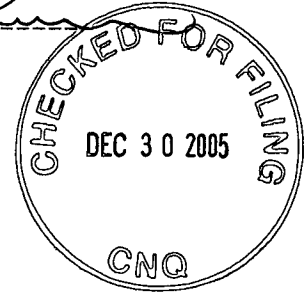
papers submitted herewith, please charge all such fees to Deposit Account 50-1943.

Respectfully submitted,

Date: December 30, 2005



Charles N. Quinn  
Attorney for Applicant



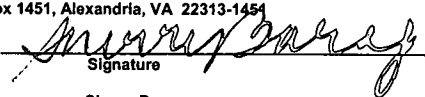
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Certificate of Mailing Under 37 C.F.R. 1.10

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I hereby certify that this paper, along with any paper referred to as being attached or enclosed and/or fee is being deposited with the United States Postal Service, "Express Mail - Post Office to Addressee" service under 37 C.F.R. 1.10, on the date indicated below, and is addressed to the Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451

12/30/05  
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Signature

Sherry Barag  
Type or print name of person



# ATTACHMENT 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paradise Kitchens, Inc.  
Serial No.: 78/379,360  
Filed: March 5, 2004  
Mark: PARADISE KITCHENS

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**RESPONSE**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Sir:

This is submitted in response to an official action bearing an e-mail transmission date of 10 May 2005 in which the examining attorney maintained a refusal of registration for the instant mark based on alleged likelihood of confusion between the instant mark and the mark that is the subject of U.S. registration 779,139.

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