



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

NOV 30 2006

Ronald D. Coleman
BRAGAR WEXLER & EAGEL, P.C.
885 Third Avenue, Suite 3040
New York, NY 10022

RE: Letter of Protest concerning Trademark Application Serial No. 78614246 for the
mark BOBOV

Dear Mr. Coleman:

The Administrator for Trademark Classification and Practice has reviewed your Letter of Protest pursuant to Sections 1715-1715.07 of the Trademark Manual of Examining Procedure.

Decision: The Letter of Protest is hereby GRANTED concerning the issue of descriptive of the mark.

Your Letter of Protest is granted because the evidence submitted with it is of the type which may be given to an Examining Attorney for consideration during *ex parte* examination. TMEP Section 1715.

However, your Letter of Protest is DENIED concerning the issue of pending litigation. The pending litigation involves the determination of the right to use the mark between two parties claiming to have this right. It does not go to a determination of the descriptive or generic nature of the mark. As such, the outcome of the litigation will not impact the prosecution of this mark in the United States Patent and Trademark Office concerning the descriptive or generic nature of the mark itself. Therefore, it will not be brought to the attention of the Examining Attorney.

The forwarding of the evidence attached to your Letter of Protest does not entitle you to communicate directly with the Examining Attorney, either orally or in writing, with regard to this application. You must continue to monitor the status of the application if you wish to be informed of its final disposition. You will find status information on all trademark applications and registrations using the on-line TARR system at the USPTO web site. The URL for that system is <http://tarr.uspto.gov>.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessie N. Roberts", is written over the typed name.

Jessie N. Roberts
Administrator for Trademark
Classification & Practice
(571) 272-9574