

THIS OPINION
IS NOT A PRECEDENT OF
THE T.T.A.B.

Hearing:
June 5, 2008

Mailed: 12/3/08

UNITED STATES PATENT AND TRADEMARK OFFICE

Trademark Trial and Appeal Board

Anheuser-Busch, Incorporated

v.

Mambo Seafood #1, Inc.

Opposition No. 91160250
to application Serial No. 76480309
filed on January 6, 2003

Request for Reconsideration

Douglas N. Masters and Edward G. Wierzbicki of Loeb & Loeb
for Anheuser-Busch, Incorporated.

James R. Meyer and Bruce A. McDonald of Schnader Harrison
Segal & Lewis, and Daniel B. Schein of Schein & Cai for
Mambo Seafood #1, Inc.

Before Quinn, Walters and Bergsman, Administrative
Trademark Judges.

Opinion by Quinn, Administrative Trademark Judge:

The Board, in a decision dated September 22, 2008,
sustained the opposition on the ground of likelihood of

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confusion, and refused registration to applicant in International Class 32.

Applicant filed a request for reconsideration on November 21, 2008 by way of ESTTA, the Board's electronic filing system.

Trademark Rule 2.129(c) provides that any request for reconsideration or modification of a decision issued after final hearing must be filed within one month from the date of the decision. *See also* TBMP §§543 and 804 (2d ed. rev. 2004).

Inasmuch as the request for reconsideration was not filed within one month from the date of the final decision, the request is late and cannot be entertained by the Board.

The decision dated September 22, 2008 stands.