

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Mailed: September 8, 2004

In re ROSCH HOLDINGS SA

Serial No. 75504609

Filed: 06/18/1998

GENE S WINTER
ST ONGE STEWARD JOHNSTON & REEN LLC
986 BEDFORD ST
STAMFORD, CT 06905-5619

Eric McWilliams, Paralegal Specialist

Applicant's request for remand with an amendment to the application is noted.

It appears from the amendment that applicant is claiming that its mark has become distinctive as provided by Section 2(f) of the Trademark Act.

The request for remand is granted, the appeal is suspended and the file is forwarded to the Trademark Examining Attorney for consideration of the amendment. In the event the Examining Attorney finds the claim of distinctiveness persuasive and the refusal of registration is withdrawn, this appeal will be moot. If, however, another final refusal ultimately issues, the "six-month

response" clause should be crossed out; the file of this case should be

returned to the Board; action on the appeal will be resumed;
and applicant will be allowed time in which to file its
reply brief if it so desires.