

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

Mailed: March 28, 2003

In re Trevira GmbH

Serial No. 76294340

Filed: 08/02/2001

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Janice D. Hyman, Paralegal:

On March 13, 2003, the Intent to Use Branch of the Office completed its divisional processing and designated Serial No. 76/294,340 as the "parent" application (International Class 25), and Serial No. 75/76/975,309 as the "child" application (International Classes 22, 23 and 24).

Applicant's request for reconsideration filed January 6, 2003, requires consideration by the Trademark Examining Attorney. Accordingly, action on the appeal is suspended and the file is remanded to the Examining Attorney.

The request for reconsideration contains a proposed amendment to the identification of goods. If the amendment is accepted and the mark is found registrable on the basis of this paper, the appeal will be moot. If the amendment is

accepted but the refusal to register is maintained, the Examining Attorney should issue an Office Action so indicating, amend the Office computer database to reflect entry of the amendment, and return the file to the Board. The appeal will then be resumed and applicant allowed a sufficient time in which to file its appeal brief. If the Examining Attorney determines that the amendment to the identification is not acceptable, the Examining Attorney should issue an Office Action to that effect, indicating the reasons why the proposed amendment is unacceptable and, if possible, advising applicant as to how to cure any deficiency in the identification. The amendment to the identification should be treated as raising a new issue, such that any refusal to accept the proposed identification cannot be made final until applicant is given an opportunity to respond.