

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: November 27, 2007

In re PENNINGTON SEED, INC.

Serial No. 76535843

Filed: 7/30/2003

Sarah Anne Keefe
Womble Carlyle Sandridge & Rice, PLLC
P.O. Box 7037,
Atlanta, GA 30357-0037

Clara Vela, Paralegal Specialist

Applicant's request for remand filed October 9, 2007 is noted.

Applicant seeks remand in order for the Examining Attorney to consider the proposed disclaimer. Good cause having been shown, the request for remand is granted, action on the appeal is suspended, and the file is remanded to the Trademark Examining Attorney.

In the event registrability is found on the basis of these papers, the appeal will be moot and proceedings will be terminated accordingly. In the event the refusal of registration is maintained, the Board shall be so informed, proceedings will be resumed and applicant will be allowed time in which to file its brief on appeal.