

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

Mailed: October 18, 2005

In re PENNINGTON SEED, INC.¹

Serial No. 76535843

Filed: 07/30/2003

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On April 19, 2005, the Board suspended proceedings on the appeal pending the decision of Serial No. 76289621. The office records reveal that a decision was rendered on September 19, 2005, affirming the Trademark Examining Attorney's final refusal.

In view thereof, proceedings herein are resumed and the file is forwarded herewith to the Trademark Examining Attorney for his brief in accordance with Trademark Rule 2.142(b).

A request for an oral hearing, if desired, is due not later than ten days after the due date for applicant's reply brief

¹ A new assignment was recorded on December 21, 2004, at reel 003113, frame 0239.