

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
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Mailed: June 8, 2009

In re Mortex Manufacturing
Co., Inc.

Serial No. 76679924

Filed: 7/26/2007

WILLIAM H. DRUMMOND
PO BOX 6779
LA QUINTA, CA 92248-6779

Tyrone Craven, Paralegal Specialist:

In view of the decision by the Trademark Examining Attorney on April 12, 2009, the appeal is resumed; and applicant is allowed until sixty days from the mailing date hereof in which to file its brief herein.¹ A request for an oral hearing, if desired, must be made not later than ten days after the due date for applicant's reply brief.

¹It should be noted that the Trademark Attorney inadvertently indicated that "A PROPER RESPONSE TO THIS OFFICE ACTION MUST BE RECEIVED WITHIN 6 MONTHS FROM THE DATE OF THIS ACTION IN ORDER TO AVOID ABANDONMENT." This clause is not applicable under the circumstances of this case.