

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
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Mailed: September 21, 2010

In re Ram Products, Inc.

Serial No. 76697131

Filed: 4/29/09

EZRA SUTTON
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Applicant's request to suspend, filed September 17, 2010, is noted. Applicant essentially seeks dismissal of the appeal on the ground that the registration which has been cited against the registration of applicant's mark will be cancelled for failure to timely file a Section 8 affidavit.

The cited registration issued on July 13, 2004, and therefore a Section 8 affidavit has to be filed by no later than January 13, 2011 (i.e., within the six-month grace period after the due date for filing the affidavit). See Section 8 (c)(1) of the Trademark Act, 15 U.S.C. 1058. Office records do not indicate that a Section 8 affidavit has been filed, but it is Office policy to wait for one month and five days after the grace period for filing a

Section 8 affidavit before a registration will be cancelled, in this case, until February 19, 2011.

Proceedings in the appeal are hereby suspended until February 19, 2011. If the cited registration is cancelled, the Board will dismiss the appeal as involving a moot question. If prior to the Board's taking action in the appeal applicant becomes aware that the cited registration has been cancelled, it may so advise the Board and request that the Board dismiss the appeal as moot.

***By the Trademark Trial
and Appeal Board***