

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

Mailed: August 26, 2009

In re LTL Color Compounders,
Inc.

Serial No. 77442445

Filed: 4/8/2008

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Clara Vela, Paralegal Specialist

Applicant has filed, on August 21, 2009, a notice of appeal, an amendment and a declaration.

It appears from the amendment that applicant is claiming that its mark has become distinctive as provided by Section 2(f) of the Trademark Act.

The electronic record of the application file is forwarded to the Trademark Examining Attorney for consideration of the amendment. In the event the Examining Attorney finds the claim of distinctiveness persuasive and the refusal of registration is withdrawn, this appeal will be moot. If, however, another final refusal ultimately issues, the "six-month response" clause should be crossed out; the Board shall be so informed; action on the appeal

will be resumed; and applicant will be allowed time in which to file its appeal brief.