

ESTTA Tracking number: **ESTTA643588**

Filing date: **12/10/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	77697510
Applicant	Reusch GmbH
Applied for Mark	ORTHOTEC
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Submission	Applicants Request for Remand and Amendment
Attachments	5569-6_Response.pdf(53900 bytes)
Filer's Name	Frank P. Presta
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Signature	/Frank P. Presta/
Date	12/10/2014

Attorney: E. Awrich
Serial No.: 77/697,510

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Law Office: 116
Class: 009, 025, 028
Mark: ORTHOTEC

In re Trademark Application of
REUSCH GMBH

Filed: 03/24/2009

Atty. Ref.: FPP-5569-0006

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Date: December 10, 2014

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Sir:

RESPONSE TO FINAL OFFICE ACTION

Registration of Applicant's mark for the goods in Class 25 has been refused based on the cited Registration No. 1818009 for the mark ORTHOTECH for footwear. It is noted that the cited Registration No. 1818009 has been cancelled for failure to file the required Declaration of Use/renewal application by the final due date of July 25, 2014.

Accordingly, the present application should now be in condition for publication with respect to the goods in all of the Classes 9, 25 and 29. Prompt issuance of the Notice of Publication is earnestly solicited.

The pending appeal should now be moot.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: /Frank P. Presta/ _____
Frank P. Presta

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