

United States Patent and Trademark Office
Trademark Trial and Appeal Board
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RA/dmd

Mailed: November 3, 2011

In re American Dairy Inc.

Serial No. 77858945

Filed: 10/28/09

AMERICAN DAIRY INC
2275 HUNTINGTON DR #278,
SAN MARINO, CA 91108-2640

The Board's September 6, 2011 order dismissing the appeal is vacated.

A review of the record reveals that on March 4, 2011, the examining attorney withdrew the final refusal with respect to Class 5, and on June 22, 2011, the Board abandoned the application with respect to Class 29. Because the application involves those two classes only, there is nothing left to adjudicate. In view thereof, the appeal is dismissed as moot, and the application is forwarded to the examining attorney for further appropriate action.

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