

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

Mailed: May 10, 2005

In re Gungner, David J.

Serial No. 78093634

Filed: 11/15/2001

David Gungner
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Los Angeles County, CA 90408-3302

Clara Vela, Paralegal Specialist

On March 17, 2005, the Board forwarded this case to the Examining Attorney for her brief. It has now come to the Board's attention that on July 28, 2004 applicant filed a response in the nature of a request for reconsideration. These papers need to be considered by the Examining Attorney.

In view thereof, proceedings are suspended and the file is herewith remanded to the Examining Attorney.

In the event registrability is found on the basis of the request for reconsideration, the appeal will be moot and the Board should be so informed. In the event the refusal of registration is maintained, the file should be returned to the Trademark Trial and Appeal Board, proceedings will be resumed and applicant will be allowed time in which to file a supplemental brief on appeal, if it so wishes.