

From: Swain, Michele

Sent: 10/28/2015 11:21:54 AM

To: TTAB EFiling

CC:

Subject: U.S. TRADEMARK APPLICATION NO. 78095659 - SQRAT - N/A - REMAND REQUEST TO TTAB

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Attachment Information:

Count: 1

Files: 78095659.doc

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)**

**U.S. APPLICATION SERIAL NO.** 78095659

**MARK:** SQRAT



**CORRESPONDENT ADDRESS:**

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**APPLICANT:** Silberstein, Ivy

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**MOTION TO REMAND**

The examining attorney hereby moves, pursuant to 37 CFR § 2.142(f)(6), for an order of The Trademark Trial and Appeal Board suspending the present appeal and remanding the application to enable the examining attorney to issue an Examiner's Action Continuing a Final Refusal – 30-day Letter pursuant to 37 C.F.R. §2.65(a)(2). The applicant filed a timely response to a failure to function refusal

and requirement for a substitute specimen by submitting a new specimen to overcome the refusal and satisfy the requirement, but in error was not afforded a full opportunity to address the specific deficiency of the substitute specimen because applicant was not provided a complete explanation for the deficiency. The suspension and remand is necessary because the issue is not involved in the present appeal and may render the applicant's mark unregistrable.

Accordingly, the examining attorney respectfully requests that the TTAB issue an order suspending the present appeal and remanding the application to enable the examining attorney to issue an Examiner's Action Continuing a Final Refusal – 30-day Letter.

Respectfully submitted,

/Michele-Lynn Swain/

Michele-Lynn Swain

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