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December 15, 2003

Date of Deposit

Thomas Williams

Name of Applicant, Assignee
or Registered Representative

[Signature]

Signature

December 15, 2003

Date of Signature

Our Case No. 10339/43

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

In re Application of:)
)
1-800 Contacts, Inc.)
)
Serial No.: 78/125,785)
)
Service Mark: THE WORLD'S LARGEST)
CONTACT LENS STORE.)
)

Examiner: J. Brett Golden

Law Office 102

Filing Date: May 2, 2002

**APPLICANT'S REQUEST TO SUSPEND APPEAL AND REMAND APPLICATION
TO EXAMINING ATTORNEY FOR FURTHER ACTION**

BOX TTAB NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

Applicant, 1-800 Contacts, Inc. ("Applicant"), hereby requests the Board to suspend proceedings with respect to this appeal, including Applicant's time to file an appeal brief,

and further requests that the application be remanded to the Examining Attorney for consideration of Applicant's request for reconsideration.

In support of this request, Applicant notes that on November 25, 2003 it timely filed with the Examining Attorney a request for reconsideration of issues pertaining to the distinctiveness of Applicant's mark. Applicant believes that the new evidence and arguments set forth in its request for reconsideration will put the application in condition to be passed for publication. Consequently, Applicant respectfully requests the suspension of proceedings on this appeal pending the Examining Attorney's action on the request for reconsideration. Applicant has not yet received a response regarding its request for reconsideration.

Finally, Applicant requests that it be given adequate time to prepare and file its appeal brief in the event that the appeal is resumed.

The commissioner is hereby authorized to charge any fee required to Deposit Account No. 23-1925.

Respectfully submitted,

1-800 CONTACTS, INC.

Dated: December 15, 2003

By: 

Thomas M. Williams
BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610
Telephone: (312) 321-4200
Facsimile: (312) 321-4299

Attorneys for Applicant

TTAB

Thomas M. Williams
312-321-4717
twilliams@brinkshofer.com

BRINKS
HOFFER
GILSON
& LIONE

Date of Deposit: December 15, 2003

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Arlington, Virginia 22202-3514

A PROFESSIONAL CORPORATION
INTELLECTUAL PROPERTY ATTORNEYS

NBC TOWER - SUITE 3600
455 N. CITYFRONT PLAZA DRIVE
CHICAGO, ILLINOIS 60611-5599
brinkshofer.com
FAX 312-321-4299
TELEPHONE 312-321-4200

Re: Applicant: 1-800 Contacts, Inc.
Service Mark: THE WORLD'S LARGEST
CONTACT LENS STORE.
Serial No.: 78/125,785
Our Case No.: 10339/43

SAN JOSE, CA
INDIANAPOLIS, IN
ANN ARBOR, MI
ARLINGTON, VA

Dear Sir/Madam:

Enclosed for filing is the following document:

1. Applicant's Request to Suspend Appeal and Remand Application to Examining Attorney for Further Action.

The Assistant Commissioner is hereby authorized to charge payment of any additional filing fees required to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

If you have any questions, please contact the undersigned at the above telephone number.

Sincerely,



Thomas M. Williams

TMW/jlc
Enclosures



12-19-2003
U.S. Patent & TMOfo/TM Mail Rcpt Dt. #72