

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

Mailed: January 26, 2005

In re Billy Martin's  
Western Wear LA, Inc.

Serial No. 78975664

Filed: 11/27/2002

Douglas Newton  
Billy Martin's USA, Inc.  
37 Lafayette Drive  
Rancho Mirage, CA 92270-3708

***Rochelle Ricks, Paralegal Specialist:***

On June 23, 2004, the Board acknowledged applicant's request to divide the application. Proceedings were suspended pending the request to divide.

Applicant's request was granted by the Intent to Use Division on October 6, 2004. Application Serial No. 78/189,596 has been designated as the "parent case" and application Serial No. 78/975,664 as the "child case".

Action on the appeal remains suspended and the file is herewith remanded to the Examining Attorney for further appropriated action.