

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

Mailed: September 15, 2008

In re Spirits of New Merced,
LLC

Serial No. 78756457

Serial No. 78978475

Filed: 11/17/2005

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The captioned appeals have now been fully briefed and are ready for decision. However, on September 11, 2008, applicant filed a request to suspend the appeals and remand the applications to the Examining Attorney for consideration of an amendment to the Supplemental Register.

Accordingly, since the amendment to the Supplemental Register may serve to avoid the final refusal to register upon the Principal Register, proceeding in the appeal in the appeals are suspended and the electronic record of the application files are herewith remanded to the Trademark Examining Attorney.

In the event that the Trademark Examining Attorney allows the applications on the Supplemental Register, the appeals herein will be moot. If the Examining Attorney

ultimately issues a final refusal to register upon the Supplemental Register, the Board shall be so informed; action on the appeals will be resumed; and a decision will render in due course.