

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

Mailed: August 14, 2007

In re Spirits of New Merced,
LLC

Serial No. 78978475

Filed: 11/17/2005

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Applicant's appeal and request for reconsideration filed August 9, 2007 are noted.

The request for reconsideration requires consideration by the Trademark Examining Attorney. The appeal is instituted, but action on it is suspended and the electronic record of the application file is herewith remanded to the Examining Attorney.

In the event registrability is found on the basis of this paper, the appeal will be moot and proceedings will be terminated accordingly. In the event the refusal of registration is maintained, the Board shall be so informed, proceedings will be resumed and applicant will be allowed time in which to file its brief on appeal.