

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

Mailed: June 11, 2005

In re Jos. Schneider Optische  
Werke GmbH

Serial No. 79000932

Filed: 02/06/2004

HERBERT DUBNO  
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**Angela Campbell, Paralegal Specialist:**

Applicant's appeal and response filed June 6, 2005 are noted.

The response requires consideration by the Trademark Examining Attorney. The appeal is instituted, but action on it is suspended and the 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. In the event the refusal of registration is ultimately maintained, the file should be returned to the Trademark Trial and Appeal Board, proceedings will be resumed and applicant will be allowed time in which to file its brief on appeal.