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

Proceeding	79131650
Applicant	Societe Nationale Des Chemins De Fer France (SNCF)
Applied for Mark	ORIENT-EXPRESS
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Submission	APPLICANT REQUEST FOR REMAND TO EXAMINING ATTORNEY
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Date	08/21/2015

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

Applicant	SOCIETE NATIONALE DES CHEMINS DE FER FRANCE (SNCF).
Serial No. 79131650	Filing Date: : January 7, 2013
Mark	ORIENT EXPRESS

APPLICANT'S REQUEST FOR REMAND TO EXAMINING ATTORNEY

Applicant respectfully requests suspension of the Appeal and remand of this application to the Examining Attorney pursuant to 37 C.F.R. §2.142(d) and Trademark Trial and Appeal Board Manual of Procedure §§1205.01, 1207.02 and 1209.04. Applicant submits that there is good cause to suspend the Appeal and remand the application. Applicant seeks to amend the application to delete the only goods that are subject to refusal.

I. Background

The pending application includes goods in International Classes 8, 9, 11, 12, 14, 16, 18, 20, 21, 24-26, 28-30, 32-34, 38, 41, and 44. The Final Office Action dated February 9, 2014 – as modified by the Denial of Reconsideration dated August 26, 2014 refuses registration under Section 2(d) of the Lanham Act to the following goods:

International Class 30 – tea; beverages based on tea

Applicant now wishes to delete International Class 30 from the application. Deletion of the only goods subject to refusal will allow the application to proceed to publication and will avoid the need for the appeal.

II. There is Good Cause

Good cause exists to support this request. “Good cause will generally be found, for

example, when the amendment is an attempt to comply with a requirement, such as ... when the amendment will obviate a ground for refusal, such as an amendment to the Supplemental Register.... TBMP § 1205.01. Whether good cause exists also depends, in part, on the stage of the appeal at the time an amendment is made. *Id.*

Here, Applicant the only issue on appeal is the refusal to register under Section 2(d) that is limited to the goods in International Class 30. Deletion of the only goods at issue in the appeal will avoid the need for briefing by Applicant and the Examining Attorney. Accordingly, Applicant submits that good cause exists.

III. Requested Amendments

Applicant requests entry of the following amendment:

Delete International Class 30.

Conclusion

For the foregoing reasons, Applicant respectfully requests that its Request for Remand to the Examining Attorney be granted and the Board instruct the Examiner to consider the amendments.

Respectfully submitted,

August 24, 2015



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