

ESTTA Tracking number: **ESTTA644318**

Filing date: **12/15/2014**

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

Proceeding	79135801
Applicant	Nordic Trade Tower AB
Applied for Mark	SMOKETOWER
Correspondence Address	Sheryl De Luca Nixon & Vanderhye P.C. 901 N. Glebe Road, 11th Floor Arlington, VA 22203 UNITED STATES nixonptomail@nixonvan.com
Submission	Applicant's Motion to Suspend
Attachments	268-139_request_for_suspension.pdf(308200 bytes)
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Signature	/Sheryl De Luca/
Date	12/15/2014

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

Law Office: 107
Serial No.: 79/135,801
Mark: SMOKETOWER

In re Trademark Application of

Nordic Trade Tower AB

Atty. Ref.: SLD-268-139

Filed: June 18, 2013

Attorney: Dawn Han

* * * * *

December 15, 2014

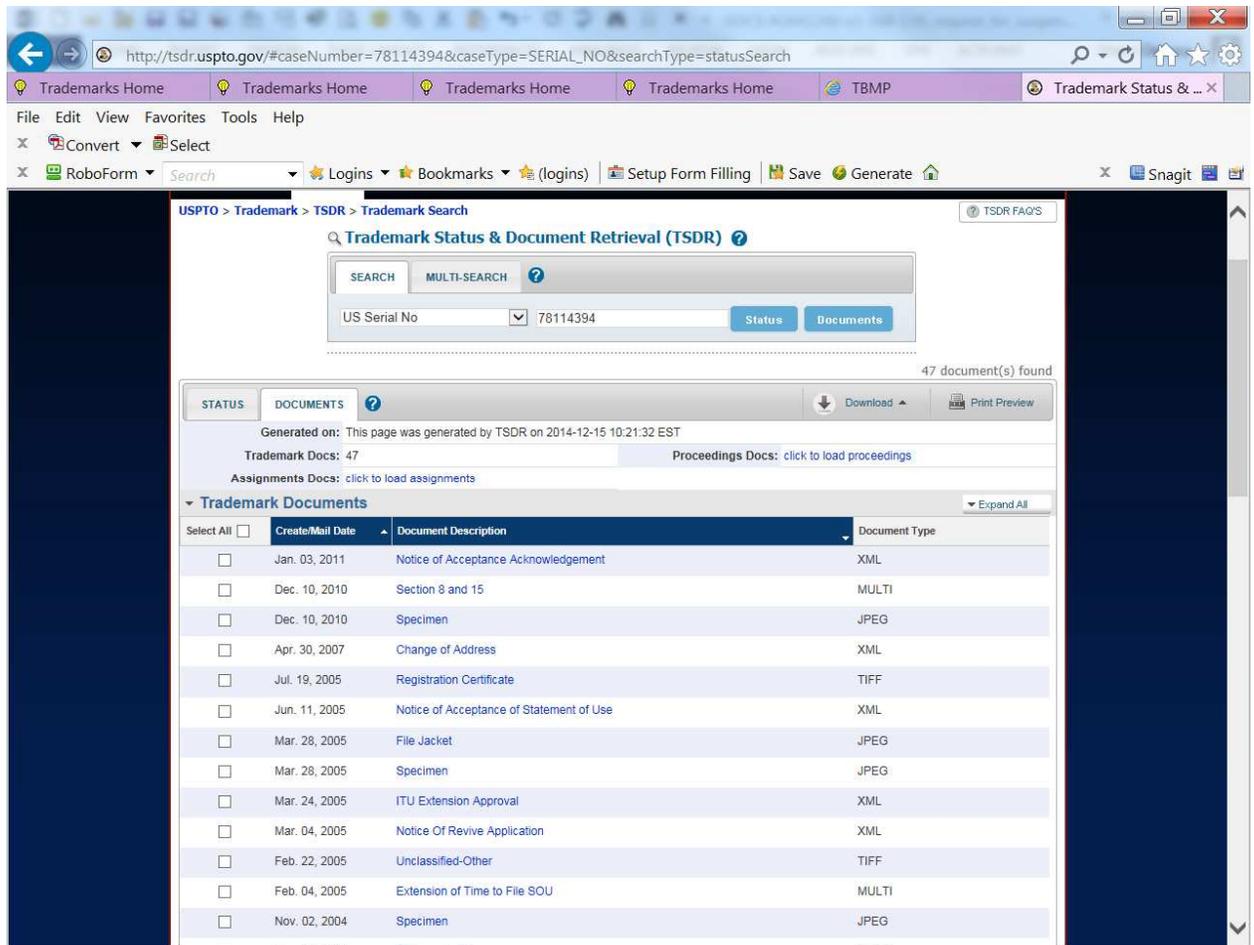
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

Sir:

APPLICANT'S REQUEST FOR SUSPENSION OF APPEAL
AND REQUEST FOR REMAND

Pursuant to TBMP §§ 510 and 1213(3), Applicant, Nordic Trade Tower AB ("Applicant"), requests that this Appeal be suspended pending the disposition of Registration No. 2,972,657 for the mark TOWER, for good cause; and the case remanded to the examining attorney for further action.

In particular, the due date for renewal of Registration No. 2,972,657 (Serial No. 78/114,394) for the mark TOWER, which was cited as a bar to registration of the subject application under Trademark Act Section 2(d), under Trademark Act § 9 is July 19, 2015. The registration is now in the period after the 9th anniversary of its issue date (July 19, 2005). It appears possible that Registration No. 2,972,657 may not be renewed. There is nothing in the electronic records in the USPTO Trademark Status & Document Retrieval system to indicate that any renewal papers have been recently submitted:



The TTAB may suspend an appeal in situations where a registration cited as a reference based on a likelihood of confusion rejection is due, or will soon be due for renewal, pending determination of whether the registration will continue in existence or will, instead, be cancelled or expire.

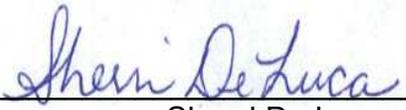
Applicant further requests that the case be remanded to the examining attorney. Here, if Registration No. 2,972,657, (which forms the only basis for refusal), is cancelled or expires, the examining attorney should be able to approve the application for publication, and the appeal will be moot.

For the above reasons, it is respectfully requested that this Appeal be suspended and remanded to the examining attorney.

SMOKETOWER
Serial No. 79/135,801

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
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