

UNITED STATES PATENT AND TRADEMARK OFFICE  
**Trademark Trial and Appeal Board**  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

EJS/kk

Mailed: October 8, 2015

In re KTM-Sportmotorcycle AG

Serial No. 79147426

Filed: 9/11/2013

**By the Trademark Trial and Appeal Board:**

For the reasons given in the Examining Attorney's October 2, 2015 request for remand, the request is granted. Proceedings in the appeal are suspended, and the application is remanded to the Examining Attorney to issue, within 30 days, an Office action providing the evidence that was intended to be attached to the May 30, 2014 Office action. Because of the stage of the appeal, Applicant is allowed 60 days from the issuance of the Office action to file a supplemental appeal brief if it wishes, directed to the new evidence. Applicant may include with the supplemental brief evidence in response to the evidence attached to the Office action. If Applicant chooses not to file a supplemental brief, it may so inform the Board, which will then forward the application to the Examining Attorney for preparation of her brief. If Applicant does not advise the Board that it does not intend to file a supplemental brief, at the end of the 60-day period allowed for filing such brief, the Board will transmit the application to the Examining Attorney for her brief.