

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

Mailed: February 3, 2016

In re Hubert Stüken GmbH & Co. KG

Serial No. 79149407

Filed: 5/14/2014

Ellen Yowell, Paralegal Specialist:

On November 13, 2015, the Trademark Examining Attorney denied Applicant's request for reconsideration and forwarded the application to the Board. On November 19, 2015, the Board resumed the appeal.

It has come to the Board's attention that on November 25, 2015, Applicant filed a request for reconsideration of a proposed amendment to its identification of goods through the TEAS system. Applicant should note that because the application was forwarded to the Board for resumption of the appeal, any communication regarding the application should have been filed with the Board. However, now that the filing has come to the Board's attention, the Board will treat this filing as a request for remand. Proceedings in the appeal are suspended, and the application is remanded to the Examining Attorney to consider Applicant's submission.

In the event registrability is found on the basis of Applicant's request, the appeal will be moot and proceedings will be terminated accordingly. In the event the

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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.