

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

Mailed: August 20, 2013

In re Cynthia Badinger Kemp

Serial No. 85009475

Filed: 4/8/2010

GREGORY C SMITH  
GARVEY SMITH NEHRBASS & NORTH LLC  
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METAIRIE, LA 70002-8350

**Nicole Thier, Paralegal Specialist:**

Applicant's request for suspension of the appeal and remand, filed August 16, 2013, is noted.

Inasmuch as good cause has been shown, the request is granted. Accordingly, action on the appeal is suspended and the file is remanded to the Examining Attorney for consideration of applicant's amendment to allege use and specimen proffered with the request.

In the event that registrability is found on the basis of the additional evidence, the appeal will be moot and the Board should be so informed. In the event refusal is maintained, a brief office action should be issued, excluding the usual language allowing applicant six months to respond, the file should be returned to the Board,

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proceedings will be resumed, and applicant will be allowed time in which to file its brief on appeal.