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

Proceeding	85681674
Applicant	Ben & Jerry's Homemade, Inc.
Applied for Mark	CANDY BAR PIE
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Submission	Applicant's Motion to Suspend
Attachments	PDF - CANDY BAR PIE - Motion to Suspend Ex Parte Appeal-1265530-v1-NYCDMS.PDF(54962 bytes)
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Date	02/14/2014

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

In re Ben & Jerry's Homemade, Inc.)
)
) Ex Parte Appeal
)
) Serial Number: 85681674
)
) Mark: **CANDY BAR PIE**
)
)

MOTION TO SUSPEND PROCEEDINGS

Applicant, Ben & Jerry's Homemade, Inc., by and through counsel, hereby moves for an order suspending the proceedings in this matter. This appeal was instituted on December 12, 2013 but suspended pending the Examining Attorney's review of Applicant's Request for Reconsideration, which was also filed on December 12, 2013. On December 19, 2013, the Examining Attorney denied Applicant's Request for Reconsideration and maintained the refusal of registration on the grounds of Section 2€(1) of the Lanham Act. On December 23, 2013, the Board then resumed this appeal noting that Applicant's appeal brief was due on February 21, 2014 - 60 days from the Board's order.

On January 28, 2014, pursuant to the Examining Attorney's suggestion in her December 19, 2013 denial of Applicant's Request for Reconsideration, Applicant filed an Amendment to Allege Use and a request to amend the instant application to the Supplemental Register. As these filings would moot the current appeal, Applicant respectfully requests the proceedings be

