

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

DH

Mailed: January 15, 2014

In re VAN MCCLAIN

Serial No. 85720388

Filed: 9/4/2012

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Eric McWilliams, Supervisory Paralegal:

Applicant's request for remand filed December 31, 2013 is noted.

Applicant seeks remand in order for the Examining Attorney to consider an amendment changing the filing basis from Section 1(a) to Section 1(b) (intent to use). Good cause having been shown, the request for remand is granted, action on the appeal is suspended, and the file is remanded to the Trademark Examining Attorney for consideration.

In the event registrability is found on the basis of this paper, the appeal will be moot and the Board should be so informed. In the event the refusal of registration is maintained, the file should be returned to the Trademark Trial and Appeal Board, proceedings will be resumed and

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applicant will be allowed time in which to file its brief on appeal.