

ESTTA Tracking number: **ESTTA660429**

Filing date: **03/11/2015**

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

Proceeding	85930193
Applicant	SR Systems, LLC
Applied for Mark	ANTI-TORSION
Correspondence Address	PAUL A. KELLER/GEOFFREY D. AURINI HARNESS, DICKEY & PIERCE, P.L.C. 5445 CORPORATE DR STE 200 TROY, MI 48098-2683 UNITED STATES troydocketing@hdp.com
Submission	Request for Suspension and Remand
Attachments	Request for Suspension and Remand.PDF(72912 bytes)
Filer's Name	Geoffrey D. Aurini
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Signature	/gda/
Date	03/11/2015

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

Applicant: SR Systems, LLC
Serial No.: 85/930,193
Filing Date: May 13, 2013
Mark: **ANTI-TORSION**
Docket: 16318-200017-US
Examiner: Barbara A. Gaynor
Law Office: 115

**REQUEST FOR SUSPENSION
AND REMAND**

United States Patent and Trademark Office
Trademark Trial and Appeal Board
Post Office Box 1451
Alexandria, Virginia 22313-1451

Applicant SR Systems, LLC by and through its undersigned counsel, hereby respectfully requests that the Trademark Trial and Appeal Board suspend action in the captioned *ex parte* appeal and remand the above-identified application to the Examining Attorney to consider submission of an Allegation of Use, and to consider an amendment seeking registration on the Supplemental Trademark Register.

In support of this Request, Applicant states the following:

1. Applicant's mark has been refused registration on the Principal Register under Trademark Act § 2(e)(1).
2. Applicant now requests remand to the Examiner for consideration of **a) submission of an Allegation of Use filed on March 11, 2015 (see attached filing receipt) and b) an amendment seeking registration of the mark on the Supplemental Register (please consider this a request for amendment to the Supplemental Trademark Register).**

Request for Suspension and Remand

In re SR Systems, LLC

Serial No. 85/930,193

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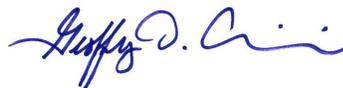
3. It is believed the foregoing will obviate the descriptiveness refusal and the need for pursuing an *ex parte* appeal in connection with the § 2(e)(1) refusal.

4. The Examiner is respectfully requested to consider the Amendment to Allege Use and subsequently enter an amendment of the application to the Supplemental Trademark Register.

In view of the foregoing, Applicant believes the application will be in condition for registration and respectfully requests formal notice in that regard. The Examining Attorney is respectfully urged to contact the undersigned with any questions or comments.

Wherefore, Applicant respectfully requests the Board suspend the deadline for filing an Appeal Brief and requesting an oral hearing and remand this Application to the Examiner for consideration of the Amendment to Allege Use and amendment to the Supplemental Trademark Register.

Respectfully submitted,



Dated: March 11, 2015

By: _____
Paul A. Keller
Geoffrey D. Aurini, Esq.
HARNES, DICKEY & PIERCE, P.L.C.
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Email: DocketingTM@hdp.com
Attorneys for Applicant SR Systems, LLC

Trademark Electronic Application System (TEAS) filing receipt

We have received your Trademark/Service Mark Amendment to Allege Use form below.

To the Commissioner for Trademarks:

MARK: ANTI-TORSION

SERIAL NUMBER: 85930193

The applicant, SR Systems, LLC, having an address of
Suite 100
Tuscaloosa, Alabama 35406
United States

is submitting the following allegation of use information:

For International Class 006:

Current identification: Metal building materials and hardware, namely, studs, beams, brackets, braces, flanges, extruded tubes, u-shaped channels, gussets, reinforcing mesh, foundation bolts, anchor bolts, threaded fasteners, bolts, nuts, nails, rivets, screws, fasteners to hold reinforcing mesh to windows; metal wall panels; doors and windows of metal; storm shelters made primarily of metal; storm shelter kits consisting primarily of metal panels and doors

This **allegation of use** does **NOT** cover the following goods or services listed in either the application or Notice of Allowance or as subsequently modified for this specific class; these goods or services are **permanently deleted**: braces, flanges, extruded tubes, u-shaped channels, gussets, reinforcing mesh, foundation bolts, rivets, fasteners to hold reinforcing mesh to windows; doors and windows of metal; storm shelters made primarily of metal; storm shelter kits consisting primarily of metal panels and doors

The mark is in use in commerce on or in connection with the following goods or services listed in either the application or Notice of Allowance or as subsequently modified for this specific class: Metal building materials and hardware, namely, studs, beams, brackets, anchor bolts, threaded fasteners, bolts, nuts, nails, screws; metal wall panels

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 02/00/2014, and first used in commerce at least as early as 02/03/2015, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) label affixed to the goods or packaging for the goods.

1 [SPN0-20915515266-20150311092152031951_-_IMG_0353.JPEG]

For International Class 019:

Current identification: Water proofing seam tape for building applications; waterproofing membranes for roofing, floors and walls; non-metal windows, doors and wall panels; storm shelters made primarily

of wood; storm shelter kits consisting primarily of wood panels and doors

All ITU goods/services in this class are to be deleted

The applicant is not filing a Request to Divide with this Allegation of Use form.

A fee payment in the amount of \$100 has been submitted with the form, representing payment for the allegation of use for 1 class.

Declaration Signature

Signature: /gda/ Date: 03/11/2015

Signatory's Name: Geoffrey D. Aurini

Signatory's Position: Attorney of Record, Michigan Bar Member

Signatory's Phone: 248-641-1238

Thank you,

The TEAS support team

Wed Mar 11 11:05:43 EDT 2015

STAMP: USPTO/AAU-209.155.152.66-20150311110543659764-85930193-530e243fb1dff6cd32ae2bd209e3ead1c73f83b44566b92ca2346963db6cd2b6-DA-8752-20150311092152031951