

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

Mailed: February 25, 2015

In re Early Morning LLC

Serial No. 86098613

Filed: 10/22/2013

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Lalita Greene, Paralegal Specialist:

Applicant's request for remand, filed February 24, 2015, is noted.

Applicant seeks remand so that additional evidence may be introduced and made of record. Inasmuch as good cause has been shown, the request is granted, action on the appeal is suspended, and the file is remanded to the Examining Attorney for consideration of applicant's additional evidence.

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

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