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Filing date: **03/16/2015**

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

Proceeding	86172249
Applicant	Clene Start Inc.
Applied for Mark	ENCAPSULATION EXTRACTION
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Submission	Motion to Resume Appeal
Attachments	Motion to Resume Appeal.pdf(203706 bytes )
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Date	03/16/2015

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

In re Application of:	:	
Clene Start Inc.	:	
	:	
Serial No.: 86/17,249	:	Examining Attorney: Brian P. Callaghan
	:	
Filed: January 22, 2014	:	Law Office: 108
	:	
Mark: ENCAPSULATION	:	
EXTRACTION	:	
_____	:	

**MOTION TO RESUME APPEAL**

COMES NOW the Applicant Clene Start Inc. (hereinafter “Applicant”), by and through counsel The Trademark Company, and respectfully moves the Trademark Trial and Appeal Board (hereinafter “Board”) for an order to resume the instant appeal stating as follows:

**STATEMENT OF THE CASE**

On or about October 16, 2014, the Board remanded the instant application from the Appellate level to the examining level so that the examining attorney may consider the amendment of the application to the Supplemental Register. The examining attorney issued a non-final office action response on or about November 10, 2014 in regard to the amendment, stating the trademark is generic. On or about February 11, 2015 Applicant, by Counsel, submitted a response to the office action. The examining attorney issued a final office action on or about March 6, 2015. Applicant has already paid the requisite fees to institute the appeal in this matter and requests the above be reinstated at the Appellate level, so Applicant may file the Brief.

**CONCLUSION**

WHEREFORE it is respectfully requested that the instant appeal be resumed.

Respectfully submitted this 16<sup>th</sup> day of March, 2015

/Matthew H. Swyers/

Matthew H. Swyers, Esq.

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