

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

Mailed: January 15, 2016

In re Aqualung International SA

Serial No. 86215732

Filed: 3/10/2014

DONALD R NAYLOR JR  
AIR LIQUIDE USA LLC  
2700 POST OAK BLVD  
HOUSTON TX 77056-5784

**Victoria von Vistauxx, Paralegal Specialist:**

On October 19, 2015, the Board dismissed the appeal in the above-identified application because no brief had been filed. On December 4, 2015, Applicant filed a motion to set aside the dismissal of the appeal and a request for reconsideration. Applicant also submitted a new specimen. The Board construes the request for reconsideration as a request for remand.

In view thereof, the Board's October 19, 2015 order dismissing the appeal is hereby **SET ASIDE**. The appeal is reinstated and Applicant's request for remand is granted for good cause shown.<sup>1</sup> Proceedings on the appeal are suspended and the application file is remanded to the Trademark Examining Attorney for consideration of Applicant's new evidence.

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<sup>1</sup> The application will be reinstated in due course.

If the Trademark Examining Attorney, after review of Applicant's request, maintains the refusal of the registration of the subject application, the Trademark Examining Attorney should issue an office action so indicating, and return the file to the Board which will then allow Applicant time to file its Appeal brief.