

ESTTA Tracking number: **ESTTA777613**

Filing date: **10/19/2016**

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

Proceeding	86253879
Applicant	SmartNews, Inc.
Applied for Mark	SMARTNEWS
Correspondence Address	CHRISTINE B REDFIELD FENWICK & WEST LLP 801 CALIFORNIA ST MOUNTAIN VIEW, CA 94041-1990 UNITED STATES trademarks@fenwick.com
Submission	Applicants Request for Remand and Amendment
Attachments	Request for Remand.pdf(796877 bytes)
Filer's Name	Christine B. Redfield, Esq.
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Signature	/christine redfield/
Date	10/19/2016

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

Serial No.: 86/253,879
Mark: SMARTNEWS
Applicant: SmartNews, Inc.
Examining Attorney: Kim Teresa Moninghoff

EX PARTE APPEAL
REQUEST FOR REMAND

On February 16, 2016, the Examiner issued a final office action maintaining the refusal to register Applicant's SMARTNEWS mark citing U.S. Trademark Registration No. 3,854,959 for the mark SMMARTNEWS.

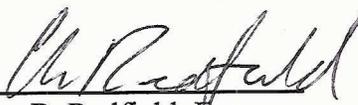
Applicant submitted a Request for Reconsideration on August 16, 2016 under separate cover through TEAS. On August 21, 2016, the Examiner denied Applicant's Request for Reconsideration and jurisdiction was restored to the Trademark Trial and Appeal Board.

Applicant respectfully requests that jurisdiction over the proceeding be remanded back to the Examiner for consideration as the registrant for SMMARTNEWS did not file its Section 8 Declaration by the September 28, 2016 deadline. There is good cause for this Request for Remand because Applicant believes the SMMARTNEWS registration will be cancelled in due course. Concurrently with this Request for Remand, Applicant is filing a Request for Extension of Time to File Appeal Brief and Motion for Suspension of the proceedings in the appeal

pending cancellation of U.S. Trademark Registration No. 3,854,959 for the mark
SMARTNEWS.

FENWICK & WEST LLP

Dated: October 19, 2016

By: 
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