

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: February 17, 2016

In re *Burgess Manufacturing, Ltd.*

Serial No. 86314423¹

Filed: 6/19/2014

JENNIFER S SICKLER
THOMPSON & KNIGHT LLP
333 CLAY ST STE 3300,
HOUSTON, TX 77002-4499

Karl Kochersperger, Paralegal Specialist:

Applicant filed, on February 15, 2016, a notice of appeal and a request for reconsideration.

Accordingly, the appeal is hereby instituted but action on it is suspended and the application is remanded to the Trademark Examining Attorney for consideration of the request for reconsideration. The request contains a proposed amendment to the identification of goods. If the amendment is accepted and the mark is found registrable on the basis of this paper, the appeal will be moot and proceedings on the appeal will terminate in due course. If the amendment is accepted but the refusal to register is maintained, the Examining Attorney should issue an Office Action so indicating, and notify the Board. The appeal will

¹ Notice of appeal filed in Class 37 only.

then be resumed and Applicant allowed a sufficient time in which to file its appeal brief. If the Examining Attorney determines that the amendment to the identification is not acceptable, the Examining Attorney should issue an Office Action to that effect, indicating the reasons why the proposed amendment is unacceptable and, if possible, advising Applicant as to how to cure any deficiency in the identification. The amendment to the identification should be treated as raising a new issue, such that any refusal to accept the proposed identification cannot be made final until Applicant is given an opportunity to respond.