

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 3, 2016

In re Advance Surgical Bodybuilding

Serial No. 86432771

Filed: 10/23/2014

**Denise M. DelGizzi,
Chief Clerk of the Board:**

On February 3, 2015, and mailed earlier in the day, the Board issued an order resuming proceeding herein and set the time for Applicant to file its appeal brief. It has come to the Board's attention that Applicant filed an Amendment to Allege Use via the Trademark Operation's online filing system on November 23, 2015.

The Amendment to Allege use requires consideration of the Examining Attorney. In view thereof, the appeal is suspended and the application file is herewith remanded to the Examining Attorney for examination of the Amendment to Allege Use. After the Examining Attorney's issuance of either an acceptance and/or ultimate denial¹ of the amendment, the Board shall be so informed and the appeal will be resumed.

¹ In this connection, the amendment to allege use should be treated as a new issue, such that any refusal to allow registration cannot be made final until applicant has been given an opportunity to respond.

Exparte Appeal No. 86432771

A request for an oral hearing, if desired, is due not later than ten days after the due date for applicant's reply brief.