

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 10, 2016

In re Advance Surgical Bodybuilding

Serial No. 86432771

Filed: 10/23/2014

KATHERINE L MCDANIEL
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Denise M. DelGizzi,
Chief Clerk of the Board:

On February 10, 2016, the Examining Attorney accepted Applicant's amendment to allege use, but maintained the Section 2(e)(1) refusal made final in an Office action dated November 4, 2015, and forwarded the application back to the Board for resumption of the appeal. Now before the Board is Applicant's motion to remand the application to the Examining Attorney for consideration of an amendment to the Supplemental Register.

Since the amendment to the Supplemental Register may serve to avoid the final refusal to register upon the Principal Register, proceedings in the appeal

are suspended and the application file is herewith remanded to the Examining Attorney.

In the event that the Examining Attorney allows the application on the Supplemental Register, the appeal herein will be moot. If the Examining Attorney ultimately issues a final refusal to register upon the Supplemental Register, the "six-month response" clause appearing on the letter in which such action is taken should be omitted; the Board shall be so informed; action on the appeal will be resumed; and applicant will be allowed sufficient time in which to file its appeal brief.