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Filing date: **08/10/2016**

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

Proceeding	86520138
Applicant	PharmaCann LLC
Applied for Mark	PHARMACANNIS
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Submission	Applicants Request for Remand and Amendment
Attachments	remand 86520138.PDF(97528 bytes )
Filer's Name	Michael A. Parks
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Signature	/Michael A. Parks/
Date	08/10/2016

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

In re application of:	:	
PharmaCann LLC	:	
	:	
Serial No.: 86/520,138	:	Examining Attorney: Jeffrey J. Look
	:	
Filed: February 3, 2015	:	Law Office: 108
	:	
Mark: PHARMACANNIS	:	

**REQUEST FOR REMAND TO THE EXAMINING ATTORNEY  
AND SUSPENSION OF APPEAL**

Applicant PharmaCann LLC respectfully requests that the Board (1) remand the subject application to the Examining Attorney for consideration of an amendment to the description of services that would moot one of the issues on appeal, and (2) suspend the proceedings relating to the appeal during the remand of the application to the Examining Attorney.

In support, Applicant states:

1. On November 20, 2015, the Examining Attorney issued a final office action refusing registration on two grounds: (1) Sections 1 and 45 – Not in Lawful Use in Commerce, and (2) Indefiniteness of the Description of Services. With respect to ground (2), the Examining Attorney suggested the following revised description:

- Retail store services featuring medical marijuana in IC 35
- Dispensing of pharmaceuticals featuring medical marijuana in IC 44

2. Applicant requests that its description of services be amended to reflect the Examining Attorney’s approved description, as shown above.

3. Accordingly, Applicant requests a remand of the subject application to the Examining Attorney for consideration of the amendment. The amendment will moot ground (2) of the appeal. Applicant respectfully submits that good cause has been shown for remand to the

Examining Attorney. TBMP § 1205.01 (“Good cause will generally be found, for example, when the amendment is an attempt to comply with a requirement, such as an amendment to the identification of goods or services in response to a requirement for an acceptable identification”).

4. Upon remand, Applicant will submit the filing fee for the additional class, as ESTTA does not provide a means by which the filing fee can be paid at this time.

5. Applicant further requests that the Board suspend proceedings with respect to the appeal during the remand of the application to the Examining Attorney. TBMP § 1205.01.

ACCORDINGLY, for good cause shown, Applicant respectfully requests that the Board (1) remand the subject application to the Examining Attorney for consideration of an amendment to the description of services and (2) suspend the proceedings relating to the appeal during the remand of the application to the Examining Attorney.

Respectfully submitted,

/s/ Michael A. Parks

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