

THIS OPINION IS  
NOT A PRECEDENT  
OF THE T.T.A.B.

Mailed:  
August 17, 2010

UNITED STATES PATENT AND TRADEMARK OFFICE

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Trademark Trial and Appeal Board

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Opposition No. 91185498

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The TJX Companies, Inc.

v.

Denise Marie Barr

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Larry C. Jones and Jason M. Sneed of Alston & Bird LLP for  
The TJX Companies, Inc.

Denise M. Barr (pro se).

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Before Holtzman, Zervas and Ritchie, Administrative  
Trademark Judges.

Opinion by Zervas, Administrative Trademark Judge:

On April 30, 2010, we sustained the opposition to the  
registration of the following mark on the ground of mere  
descriptiveness:



We indicated in our decision and in our corrective order (mailed May 20, 2010) that our decision would be set aside if applicant submits an appropriate disclaimer of the words IT BAG.

On May 21, 2010, applicant filed a disclaimer of IT BAG. In view thereof, our decision of April 30, 2010 is set aside. The involved application, application Serial No. 77301887, now with the disclaimer, will be forwarded to the intent-to use division of the USPTO to await the filing of a statement of use.

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