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

Proceeding	91186986
Party	Defendant Shaun Roberts Allen
Correspondence Address	JAMES B ASTRACHAN ASTRACHAN GUNST THOMAS PC 217 EAST REDWOOD STREET, 21ST FLOOR BALTIMORE, MD 21202 UNITED STATES jastrachan@agtlawyers.com
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Date	10/06/2011
Attachments	Request to Resume Proceedings.pdf (3 pages)(79655 bytes) Exhibit I to Request to Resume Proceedings.pdf (1 page)(25116 bytes)

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

In the Matter of Application Serial No. 77247611
Published in the Official Gazette of March 4, 2008

LOEST & McNAMEE, INC. * Opposition No.: 91186986

Opposer * *

v. * *

REQUEST TO RESUME
PROCEEDINGS

Shaun Roberts Allen * *

Applicant * *

* * * * *

**APPLICANT SHAUN ROBERTS ALLEN'S
REQUEST TO RESUME PROCEEDINGS**

The proceedings in this opposition were suspended as of September 30, 2010, pursuant to the Board's order, in view of a pending revocation action for non-use before the Intellectual Property Office of New Zealand. Applicant informs the Board that this matter has been settled. Please see *Exhibit 1* for a copy of the letter received by the Applicant from the Intellectual Property Office of New Zealand confirming that all proceedings regarding the SILVER FERN mark have now been concluded. Accordingly, Applicant wishes to pursue the proceedings with the Trademark Trial and Appeal Board. It is respectfully requested that the Board issue an order resuming proceedings and resetting trial dates, including the time for discovery.

Date: October 6, 2011

Respectfully submitted,

/James B. Astrachan/

James B. Astrachan
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Attorneys for the Applicant
Shaun Roberts Allen

CERTIFICATE OF SERVICE

I hereby further certify that, on this 6th day of October, 2011, a copy of the Request to Resume Proceedings and this Certificate of Service were served upon Opposer's counsel, by first-class, United States mail, postage pre-paid and electronic delivery upon:

Paulette R. Carey
Buchman Law Firm, LLP
510 Thornall Street Suite 200
Edison, NJ 08837
prcarey@buchmanlaw.com

Date: October 6, 2011

Respectfully submitted,

/James B. Astrachan/

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*Attorneys for the Applicant
Shaun Roberts Allen*



31 August 2011

A J Pietras
PO Box 30-173
Lower Hutt

Ref: Tony Pietras

Trade mark registrations: 702156, 707126, 707364
SILVER FERN; SILVER FERN PRODUCTS; SILVER FERN in classes: 3, 29 and 33
In the name of: Ethan Eamon Allen
Applications for Revocation for Non Use by: Netball New Zealand Inc

We thank the parties for confirmation of the outcome of negotiations, filed on 15 August 2011.

We confirm we have completed the following steps:

- Registration 702156 in class 29 has been marked as relinquished in our database;
- Registration 707126 in class 3 remains on the register;
- Registration 707364 in class 33 has had the specification restricted to cover 'wines' only.

All of these proceedings have now been marked as concluded in our database.

Please contact me if you have any questions.

Yours sincerely

Helen Baxter
Hearings Office Assistant
For the Commissioner of Trade Marks, Patents and Designs
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<http://www.iponz.govt.nz/online-services>