

From: Bulloff, Toby

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Subject: U.S. TRADEMARK APPLICATION NO. 86274562 - FASTFILL - N/A - REMAND REQUEST TO TTAB

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UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

U.S. APPLICATION SERIAL NO. 86274562

MARK: FASTFILL



CORRESPONDENT ADDRESS:

KEEPER SECURITY, INC.

850 W JACKSON BLVD STE 500

CHICAGO, IL 60607

APPLICANT: Keeper Security, Inc.

CORRESPONDENT'S REFERENCE/DOCKET NO:

N/A

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MOTION TO REMAND

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD IN AN OPPOSITION PROCEEDING

TRADEMARK EXAMINING ATTORNEY'S REQUEST FOR REMAND

The trademark examining attorney requests that the Trademark Trial and Appeal Board remand this case under 37 C.F.R. §2.130 because certain facts have come to the attention of the trademark examining attorney that render the mark in the application unregistrable.

The Office of the Deputy Commissioner for Trademark Examination Policy accepted a Letter of Protest received in connection with this application. The evidence presented in the letter was forwarded to the trademark examining attorney for consideration. *See* TMEP §1715.

Based upon this evidence, the trademark examining attorney is taking further action, as specified below. *See* TMEP §1715.02(b).

This application was originally filed on May 7, 2014 and approved for publication. A post-publication letter of protest was accepted and Serial No. 86179225 was cited as a prior pending application. When Serial No. 86179225 was amended to the Supplemental Register, its effective filing date became November 3, 2014 and no longer posed a likelihood of confusion because of its later filing date. A new post-publication letter of protest has been considered and the following new Section 2(e)(1) refusal shall be issued. A request for jurisdiction was requested of the Director in order to issue the refusal but not processed in time before notice of Opposition No. 91221948 was received by the Board.

Respectfully submitted,

/Toby E. Bulloff/

Trademark Examining Attorney

/J. Brett Golden/

Managing Attorney

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