

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**Trademark Trial and Appeal Board**  
P.O. Box 1451  
Alexandria, VA 22313-1451

Mailed: July 29, 2013

Concurrent Use No. 94002566

John W. Hill, III

V.

Jamat, LLC d/b/a Mattress Source

**Denise M. DelGizzi,**  
**Technical Program Manager:**

**INADVERTENTLY ISSUED REGISTRATION NO. 436667**

A review of the record of the concurrent use proceeding reveals that on July 16, 2013, involved application Serial No. 85352473 inadvertently matured into Registration No. 436667.

By way of background, on June 12, 2013, the Board dismissed Opposition No. 91205101 in favor of a concurrent use proceeding, and instead of holding the application pending the concurrent use proceeding, the application was inadvertently forwarded to issuance of a registration. Consequently, the application matured into a registration inadvertently.

Because the Board is without the authority to cancel an inadvertently issued registration, the matter is referred to the Office of the Commissioner for Trademarks for appropriate action.<sup>1</sup>

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<sup>1</sup> The Office of the Commissioner for Trademarks may issue an order cancelling the inadvertently issued registrations and restoring application Serial No. 85352473 to pendency, subject to the above-captioned concurrent use proceedings.

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The parties are advised that once the application is restored to pendency, the matter will be forwarded for consideration of the parties' agreement submitted on June 25, 2013.

Proceedings herein are suspended.