United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Seeherman/Ricks

Mailed: July 13, 2006

CONSOLIDATION:

In re STEELBUILDING.COM INC.

Serial No. **76280389 (parent)**

Filed: 07/03/2001

&

In re STEELBULIDING.COM INC.

Serial No. **76280390**

Filed: 07/03/2001

MICHAEL M. ZADROZNY
SHLESINGER, ARKWRIGHT & GARVEY LLP
1420 KING STREET, SUITE 620
ALEXANDRIA, VA 22314

Rochelle Ricks, Paralegal Specialist:

On July 12, 2006 (via facsimile) a copy of its request that was originally filed back on June 9, 2006, in connection with Application Serial No. 76280390, a request to reinstate the appeal and consolidate with the appeal in Application Serial No. 76280389, and also requested an extension of time to file its appeal brief for that appeal.

A review of the file of Application Serial No. 76280390 shows that the appeal had been suspended on March 26, 2003, and that since that time a number of Office actions and responses have been filed. The most recent correspondence is an Office action dated May 3, 2006. Although no new issues were raised in this action, the Examining Attorney did not return the file to the Board for resumption of proceedings in the appeal; rather, the Examining Attorney included the "six-months response" clause. Applicant has requested that action on the appeal be resumed and, since the May 3, 2006 Office Action repeats all refusals and requirements, applicant's request is hereby granted. See Trademark Rule 2.141. Proceedings in the appeal for Serial No. 76280390 are resumed.

Applicant has requested that the appeals in Application Serial Nos. 76280390 and 76280389 are consolidated. Because the appeals appear to involve common issues of law and fact, the request to consolidate is granted, and these cases may be presented on the same brief. Applicant and the Examining Attorney may file single appeal briefs relating to both applications; all papers filed in connection with appeal should identify, in the caption, both serial numbers, in the same manner that they appear in this order.

Applicant is allowed **SIXTY DAYS** in which to file its separate briefs on appeal in these cases. Also, these cases may be argued together if a request for oral hearing is filed.

A request for an oral hearing, if desired, may be made not later than ten days after the due date of applicant’s reply brief.