

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

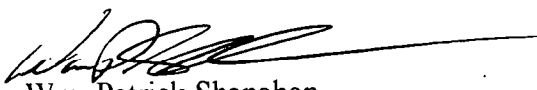
Applicant: Waste Management, Inc. : BEFORE THE
Trademark: E-CYCLING : TRADEMARK TRIAL
Serial No: 76/326,374 : AND
Attorney: Ben D. Tobor : APPEAL BOARD
Address: Bracewell & Patterson, L.L.P. : ON APPEAL
P.O. Box 61389
Houston, Texas 77208-1389

EXAMINING ATTORNEY'S REQUEST FOR REMAND

The examining attorney requests that the Trademark Trial and Appeal Board remand this case to the examining attorney under 37 C.F.R. §2.142(d) for the following reasons(s):

- 1) The examining attorney would like to review the new evidence submitted with Applicant's Appeal Brief, and, in turn, submit additional evidence in rebuttal;
- 2) The examining attorney is not the original examining attorney in this case. He would like the opportunity to further clarify the record from the first Office Action; and
- 3) Circumstances have changed from the initial examination such that evidence that the proposed mark is so highly descriptive, if not generic, was not available during the initial examination and should be made of record.

Respectfully submitted,



Wm. Patrick Shanahan
Trademark Examining Attorney

(Meryl Hershkowitz, Managing Attorney)
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