

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

Mailed: October 22, 2009

In re Turtle Pond
Publications LLC

Serial No. 77318838

Filed: 11/1/2007

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Applicant's request for remand and reconsideration filed October 13, 2009 are noted.

Applicant seeks remand in order for the Examining Attorney to consider a proposed amendment. Good cause having been shown, the request for remand is granted, action on the appeal is suspended, and the file is remanded to the Trademark Examining Attorney for consideration of the proposed amendment.

If the amendment is accepted, the appeal will be moot and proceedings on the appeal will terminate in due course. If the amendment is found unacceptable, the Examining Attorney should issue an Office Action indicating the reasons why the proposed amendment is unacceptable and notify the Board, which will then allow applicant time to

file its appeal brief.¹ However, if the Examining Attorney believes that the problems with the proposed identification can be resolved, the Examining Attorney is encouraged to contact applicant, either by telephone or written Office Action, in an attempt to do so.

¹ If the Examining Attorney believes that the proposed amendment is unacceptable because it exceeds the scope of the original identification, or the identification as it has subsequently been amended, then the Examining Attorney may not issue a final refusal unless applicant was previously advised that amendments broadening the identification are prohibited under Trademark Rule 2.71(a).