

**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
**Trademark Trial and Appeal Board**  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Mailed: May 15, 2002

In re Roseville  
Communications Company

Serial No. 78/022570

Filed: 08/23/2000

Walter W. Hansell  
Cooper, White & Cooper LLP  
201 California Street, 17th Floor  
San Francisco, CA 94111

**Amy King, Paralegal Specialist**

Applicant's appeal filed May 3, 2002 is noted, and the appeal is hereby instituted.<sup>1</sup>

On April 1, 2002 applicant filed an Amendment to Alleged Use. On May 10, 2002 the Trademark Examining Attorney acted on the amendment and issued a non-final Office action.

In view thereof, action on the appeal is suspended, and the application is remanded to the Trademark Examining Attorney to await applicant's response to the May 10, 2002 Office action.

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<sup>1</sup> In accordance with the instructions in the notice of appeal, applicant's deposit account has been charged the \$100.00 appeal fee.

If registrability is found on the basis of that response, the appeal will be moot, and the Board should be so informed. If the Examining Attorney ultimately issues a final refusal to register, the "six-month response" clause appearing on the letter in which such action is taken should be omitted, and the application file should be returned to the Board. Action on the appeal will then be resumed, and applicant will be allowed time in which to file its appeal brief.