

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

Mailed: August 9, 2006

In re Kelly, Thomas L.

Serial No. 78460516

Filed: 08/02/2004

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Janice D. Hyman, Paralegal Specialist:

Applicant's appeal and request for reconsideration filed July 27, 2006, with a certificate of mailing dated July 24, 2006, are noted.

The request for reconsideration requires consideration by the Trademark Examining Attorney. The appeal is instituted, but action on it is suspended and the file is herewith remanded to the Examining Attorney.

In the event registrability is found on the basis of this paper, the appeal will be moot and the Board should be so informed. In the event the refusal of registration is maintained, the file should be returned to the Trademark Trial and Appeal Board, proceedings will be resumed and applicant will be allowed time in which to file its brief on appeal.

