

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

Mailed: July 13, 2007

In re: Gordon Brothers Group,
LLC

Serial No. 78746701

Filed: 11/3/05

AMY B. SPAGNOLE
HINCKLEY ALLEN & SNYDER LLP
28 STATE STREET
BOSTON, MA 02109-1775

Veronica P. White, Paralegal Specialist:

Applicant filed, on June 29, 2007, a notice of appeal and a request for reconsideration.

Accordingly, the appeal is hereby instituted but action on it is suspended and the application is remanded to the Trademark Examining Attorney for consideration of the request for reconsideration. The request contains a proposed amendment to the identification of goods. If the amendment is accepted and the mark is found registrable on the basis of this paper, 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).