

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

Mailed: July 14, 2016

In re Abbyson Living Corporation

Serial No. 86382828

Filed: 9/2/2014

Victoria von Vistauxx, Paralegal Specialist:

On March 2, 2016, Applicant filed its brief in the above-entitled application. In its brief Applicant included a request for amendment of goods in the subject application. The Board construed the proposed amendment as a request for remand, suspended the appeal, and remanded the application to the Trademark Examining Attorney.

On April 19, 2016, in view of the decision by the Trademark Examining Attorney on April 14, 2016, the Board resumed the appeal and instead of allowing time for Applicant to file a supplemental brief, allowed time for Applicant to file its brief.

On July 12, 2016, the appeal in the above-entitled application was dismissed for Applicant's failure to file its appeal brief.¹

¹ Applicant had already filed its brief, and this was inadvertent error. The Board regrets the error and any inconvenience that this may have caused to the Applicant.

Since Applicant has previously filed its brief, the Board's July 12, 2016 order, dismissing the appeal for Applicant's failure to file its brief, is vacated and the appeal is reinstated.

During the phone conversation with Applicant's attorney, the Board was informed that Applicant does not wish to file a supplemental brief. Accordingly, the electronic record of the application file is forwarded herewith to the Trademark Examining Attorney for a brief in accordance with Trademark Rule 2.142(b).

A request for an oral hearing, if desired, is due not later than ten days after the due date for Applicant's reply brief.