

ESTTA Tracking number: **ESTTA770551**

Filing date: **09/14/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	86629630
Applicant	No Show Productions, LLC
Correspondence Address	PAUL W KRUSE BONE MCALLESTER NORTON PLLC 511 UNION ST STE 1600 NASHVILLE, TN 37219-1780 UNITED STATES trademarks@bonelaw.com
Submission	Applicants Request for Remand and Amendment
Attachments	Request to Remand and Amend - 09-14-16 01445252.PDF(24201 bytes)
Filer's Name	Paul W. Kruse
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Signature	/Paul W. Kruse/
Date	09/14/2016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant Name: No Show Productions, LLC

Mark: Miscellaneous Design

Ser. No. 86629630

Filing Date: May 14, 2015

Allowance Date:

Attorney Ref. No. 008709-60818

**REQUEST TO REMAND APPLICATION TO EXAMINING ATTORNEY
TO SEEK, IN THE ALTERNATIVE, REGISTRATION ON THE
SUPPLEMENTAL REGISTER**

Box TTAB NO FEE
Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Jonathan Ryan O'Rourke, Esq.
Law Office 104

In response to its order of September 7, 2016, Applicant asks that the Board remand this application to the Examining Attorney to consider Applicant's alternative request to amend this application to seek registration on the Supplemental Register. Although it believes that the proposed mark is not ornamental and thus entitled to registration on the Principal Register, Applicant asks in the alternative that registration be issued on the Supplemental Register. For purposes of registration on the Supplemental Register, a mark may consist of any word, name, symbol, or device, or any combination, but such mark must be capable of distinguishing Applicant's goods. *See* Trademark Act Section 23(c). Applicant's mark is capable of

performing the function of a mark. Consequently, Applicant's mark is clearly entitled to registration on the Supplemental Register if it is not entitled to registration on the Principal Register.

REMARKS

Applicant believes it has timely complied the requirements set forth in the Board most recent order.

Please direct all communications to the undersigned at (615) 238-6300 or trademarks@bonelaw.com.

No Show Productions, LLC



By: _____

Name: Paul W. Kruse

Title: Attorney

Date: September 14, 2016

Submitted by:

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