

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: **August 21, 2018**

IN RE: **The Portland Public Market**

SERIAL NO. **86947471**

APPEAL RECEIVED: **July 2, 2018**

BRIEF DUE: N/A

**DAVID P COOPER  
KOLISCH HARTWELL PC  
520 SW YAMHILL STREET, SUITE 200  
PORTLAND OR 97204  
UNITED STATES**

In view of the decision by the Deputy Commissioner's office on July 20, 2018 granting the Petition to Revive, Applicant's Appeal and fee in the above entitled application were received and entered on the date indicated above.

Applicant has checked the request for reconsideration box on the ESTTA form, thereby indicating that it has filed or is filing today a request for reconsideration of the final refusal to register. Applicant should notify the Board immediately if it has not filed a timely request for reconsideration and does not intend to do so.

In view of the filing of the request for reconsideration/amendment, the appeal is hereby instituted, but action on the appeal is **SUSPENDED** and the application is remanded to the examining attorney to consider the request for reconsideration/amendment.

If registrability is found on the basis of the request for reconsideration/amendment, the appeal will be moot. In the event the refusal of registration is maintained, and assuming that the request for reconsideration/amendment does not raise a new issue, the application will be returned to the Board, proceedings in the appeal will be resumed, and Applicant will be allowed time in which to file an appeal brief.

If the request for reconsideration/amendment raises a new issue, the examining attorney may not issue a final refusal until the Applicant has been given an opportunity to respond. Upon issuance of a final refusal, proceedings in the appeal will be resumed, and Applicant will be allowed time in which to file an appeal brief. An Amendment to Allege Use will be treated in the same manner as any amendment; if registrability is found on the basis of the AAU, the appeal will be moot; if the AAU raises a new issue, the examining attorney may not make a refusal final until applicant has been given an opportunity to respond.