

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

Mailed: July 19, 2017

In re Dead Bird Brewing, LLC

Serial No. 87140389

Serial No. 87140417

Veronica P. White, Paralegal Specialist:

Applicant's request for remand filed in application Serial No. 87140417 and its motion to consolidate the above-captioned appeals, both filed July 12, 2017, are noted.

Applicant seeks remand so that additional evidence may be introduced and made of record in application Serial No. 87140417. Inasmuch as good cause has been shown, the request is granted, action on the appeal is suspended, and the file is remanded to the Trademark Examining Attorney for consideration of Applicant's additional evidence. In view thereof, application Serial No. 87140389 shall remain with the Trademark Examining Attorney for consideration of the request for reconsideration.

In the event that registrability is found on the basis of the additional evidence, the appeals will be moot and proceedings will be terminated accordingly. In the

Exparte Appeal Nos. 87140389 and 87140417

event that the refusal of registration is ultimately maintained, the Board shall be so informed, proceedings will be resumed and Applicant will be allowed time in which to file its brief on appeal.

In light of the similarity of the records and issues in these cases, the motion is granted. Accordingly, application Serial Nos. 87140389 and 87140417 have been consolidated. If proceedings are resumed these cases may be presented on the same brief, however, the brief should bear the serial number of each consolidated application, and a copy of the brief should be submitted for each application. Also, these cases may be argued together if a request for oral hearing is filed.

A request for an oral hearing, if desired, must be made by a separate notice filed not later than ten days after the due date for Applicant's reply brief.