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April 11, 2022

*In re Grupo Bimbo, S.A.B. de C.V.*

Ex Parte Appeal No. 87408465

**By the Trademark Trial and Appeal Board:**

On April 14, 2021, the Trademark Trial and Appeal Board issued a final decision affirming in part and reversing in part the Trademark Examining Attorney's refusal to register the mark ARTESANO in application Serial No. 87408465. 20 TTABVUE.

On June 16, 2021, Appellant commenced a civil action in the U.S. District Court for the Eastern District of Virginia ("EDVA") for review of the Board's decision. The parties then considered supplementary evidence provided by Appellant and which the parties agreed is probative evidence of consumer perception of Appellant's mark for pre-packaged sliced bread.

On April 8, 2022, following agreement of the parties, the EDVA dismissed the appeal without prejudice and remanded the application to the USPTO to facilitate taking appropriate steps to approve the mark in the application for publication. 23 TTABVUE.

It is noted that the court order issued in the EDVA referenced application Serial No. 87084465, however, the Board construes the order as applying to the application before the court, Serial No. 87408465.

In view of the foregoing, jurisdiction over the application is restored to the Examining Attorney to take the appropriate action in accordance with the court's order.<sup>1</sup>

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<sup>1</sup> A copy of the court's order has been uploaded into the application file.