

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: September 18, 2019

In re MJ Products Association

Serial No. 87584821

Filed: 8/25/2017

**Denise M. DelGizzi,
Chief Clerk of the Board**

On June 20, 2019, the Board instituted the instant appeal and set the time for Applicant to file its brief. It has come to the Board's attention that on June 19, 2019, Applicant filed a request for reconsideration of the Trademark Examining Attorney's final refusal through TEAS, the Examining Operation's online filing system. Applicant failed to check the appropriate box on the ESTTA coversheet indicating that a request for reconsideration had been filed.¹

In view thereof, the Board's June 20, 2019 order instituting the instant appeal and setting the brief due date is hereby vacated to the extent that proceedings on the appeal are suspended and the application is remanded to the Examining Attorney for consideration of Applicant's request for reconsideration.

¹ As a result of not checking the appropriate box on the ESTTA coversheet, jurisdiction was not restored to the Examining Attorney for consideration of the request for reconsideration.

If registrability is found on the basis of Applicant's request for reconsideration, the appeal will be moot. If the request for reconsideration does not resolve all of the refusals or requirements, the Examining Attorney should issue an action stating which refusals or requirements have been resolved, and which remain at issue on appeal. The "six-month" clause should be omitted from the action, and the application file should be returned to the Board for resumption of the appeal, at which time, proceedings will be resumed, and Applicant will be allowed time in which to a brief.