

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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March 18, 2020

Opposition No. 91252998

*The American National Red Cross*

*v.*

*AHWA IP, LLC*

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

The Board instituted this opposition proceeding on December 18, 2019. (1 TTABVUE). On January 29, 2020, the Examining Attorney filed a request for remand of the involved application Serial No. 88291479, asserting that certain facts have come to his attention that may render the mark in the application unregistrable. Specifically, the Examining Attorney seeks remand in order to address issues which may render the mark in the application unregistrable. On remand, the Examining Attorney intends to issue a non-final Office action addressing the following refusals: (1) the applied for mark is not in lawful use in commerce under 15 U.S.C. §§1051, 1127; and (2) the applied for mark falsely suggest a connection with the American National Red. Cross under 18 U.S.C. §706.

During the pendency of an opposition proceeding involving an application filed under Section 1 of the Trademark Act, as this one was, the Examining Attorney may

file a request that the Board suspend the *inter partes* proceeding and remand the application to the Examining Attorney for further *ex parte* examination. See Trademark Rule 2.130.

In view to the foregoing, application Serial No. 88291479 is remanded to the Examining Attorney, and proceedings herein are suspended pending final determination, including any possible appeals. Within twenty days after final determination, the parties shall so notify the Board and call this case up for any appropriate action.

If during the suspension period, either of the parties or their attorney should have a change of address, the Board should be so informed.