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
General Email: TTABInfo@uspto.gov

August 5, 2026

In re Joshua James Waldrop

Ex Parte Appeal No. 97691670

Nicole Thier, Paralegal Specialist:

On August 3, 2026, Appellant filed a request to remand the application to the Trademark Examining Attorney. Appellant seeks remand so that the Trademark Examining Attorney may consider a consent coexistence agreement between Appellant and the owner of the cited registration.

Good cause having been shown, the request for remand is granted, action on the appeal is suspended, and the file is remanded to the Trademark Examining Attorney. *See* TBMP § 1209.04.

If registrability is found on the basis of the request for remand, the appeal will be moot. In the event the refusal of registration is maintained, and assuming that the request for remand does not raise a new issue, the application will be returned to the Board, proceedings in the appeal will be resumed, and Appellant will be allowed time in which to file an appeal brief. If the request for remand raises a new issue, the Examining Attorney may not issue a final refusal until the Appellant has been given an opportunity to respond. Upon issuance of a final refusal, proceedings in the appeal will be resumed, and Appellant will be allowed time in which to file an appeal brief.

Appeal Briefs

Upon resumption of the appeal, Appellant will be allowed time to file an appeal brief, with the required fee. Failure to file the brief may result in dismissal of the appeal. Trademark Rules 2.142(b)(1) and 2.6(a)(18).

The Trademark Rules of Practice provide that the Trademark Examining Attorney shall file a written brief answering Appellant's brief and shall send a copy of the brief to Appellant within sixty days after Appellant's brief is sent to the Examining Attorney. Appellant may file a reply brief within twenty days from the mailing date of the Examining Attorney's brief. If an oral hearing is desired, Appellant must file a separate request accompanied by the required fee not later than ten days after the due date for Appellant's reply brief. Trademark Rules 2.142, 2.6(a)(18) and 2.6(a)(24).

Briefs must meet each of the requirements prescribed in Trademark Rule 2.126, which states that submissions must be made to the Board via ESTTA. *See* Trademark Rule 2.142(b)(2). ESTTA forms for electronic filings are available at https://estta.uspto.gov. Board proceeding files can be viewed using TTABVUE at https://ttabvue.uspto.gov.