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**THIS DISPOSITION
IS NOT CITABLE AS PRECEDENT
OF THE T.T.A.B.**

Paper No. 16
EJS

UNITED STATES PATENT AND TRADEMARK OFFICE

Trademark Trial and Appeal Board

In re William B. Siegel

Serial No. 75/539,620

Request for Reconsideration

Myron Amer of Myron Amer, P.C. for William B. Siegel

D. Beryl Gardner, Trademark Examining Attorney, Law Office
107 (Thomas Lamone, Managing Attorney)

Before Seeherman, Hairston and Wendel, Administrative
Trademark Judges.

Opinion by Seeherman, Administrative Trademark Judge:

William B. Siegel has filed a "petition for reconsideration and application to remand." Essentially, applicant requests reconsideration of the Board's July 20, 2001 decision insofar as it affirmed the refusal of registration based on Registration No. 1,182,311, and applicant also requests that the application be remanded to the Examining Attorney in contemplation of applicant's

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filing cancellation proceedings against Registrations Nos. 956,094 and 1,743,965. The refusals based on these registrations were also affirmed by the Board in its July 20, 2001 decision.

With respect to the request for reconsideration of the refusal based on Registration No. 1,182,311, applicant has given no reason for our reconsidering our decision. Accordingly, we adhere to that decision, and the request for reconsideration is denied.

With respect to the request for remand, applicant is advised that an application which has been considered and decided on appeal will not be reopened except for the entry of a disclaimer or upon order of the Commissioner. Trademark Rule 2.142(g). Because the Board issued a final decision on appeal on July 20, 2001, the Board has no authority to reopen the application to await the disposition of any cancellation proceedings which applicant may choose to file. Applicant's only recourse for reopening the application is a petition to the Commissioner. However, our advising applicant as to the proper procedure to follow should not be taken as an indication that such a petition would be successful.

Decision: The request for reconsideration and the request for remand are denied.