

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2009-1077  
(Cancellation No. 92/041,358)

MITSUBISHI MOTORS NORTH AMERICA, INC.,

Appellant,

v.

MONACO COACH CORPORATION,

Appellee.

Appeal from the United States Patent and Trademark Office, Trademark Trial and Appeal Board.

ON MOTION

## ORDER

The parties jointly move to dismiss and remand this appeal to the Trademark Trial and Appeal Board of the United States Patent and Trademark Office (TTAB).

Dismissal and remand are mutually exclusive dispositions. It appears that the parties seek remand for further proceedings before the TTAB.

Accordingly,

IT IS ORDERED THAT;

- (1) The motion to remand is granted. Each side shall bear its own costs.
- (2) The motion to dismiss is denied as moot.

FOR THE COURT

SEP 11 2009

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: David M. Kelly, Esq.  
Mark J. Liss, Esq.

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ISSUED AS A MANDATE:

SEP 11 2009

**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

SEP 11 2009

JAN HORBALY  
CLERK