

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2010-1253  
(Cancellation No. 92044522)

SNOWIZARD HOLDINGS, INC. (now known as Snowizard, Inc.),

Appellant,

v.

SOUTHERN SNOW MANUFACTURING, INC.,

Appellee.

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

## ORDER

The Director of the United States Patent and Trademark Office having notified this court that Southern Snow Manufacturing, Inc. filed a notice of election to proceed by civil action in district court,

IT IS ORDERED THAT:

This appeal is dismissed pursuant to 15 U.S.C. § 1071(a)(1).

FOR THE COURT

MAR 26 2010

\_\_\_\_\_  
Date

/s/ Jan Horbaly

\_\_\_\_\_  
Jan Horbaly  
Clerk

cc: Kenneth L. Tolar, Esq.  
Mark E. Andrews, Esq.

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

MAR 26 2010

JAN HORBALY  
CLERK