

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**Trademark Trial and Appeal Board**  
P.O. Box 1451  
Alexandria, VA 22313-1451

Mailed: February 2, 2008

Applicant: Sunbow Sunglasses Import, Inc.  
Serial No.: 77183151  
Filed: 5/16/07  
Mark:

Karl Kochersperger, Paralegal

The notice of opposition filed January 22, 2008 on behalf of Oakley, Inc. is noted. The notice of opposition does not include proof of service as required by Trademark Rule 2.101.

Each opposer is required to serve a copy of its notice of opposition on the applicant, at the correspondence address of record in the USPTO and must include proof of such service with its notice of opposition at the time of its filing. See Trademark Rules 2.101 (a), (b) and (d)(4), and 2.119. A notice of opposition filed without the required proof of service does not result in the commencement of an opposition.

Because proof of service is mandatory, the notice of opposition will not be considered. However, if time remains in the opposition period or any approved extension of that period, then opposer may be able to file a new notice of opposition with the appropriate fee and proof of service.

The opposition lacking proof of service will be referred to the Finance Branch of the Office for consideration of a refund of the opposition fee.

cc:

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