

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

Mailed: November 28, 2008

Opposition No. 91186373

PeerSat

v.

Weather Decision
Technologies, Inc.

Denise M. DelGizzi, Supervisory Paralegal Specialist

On November 27, 2008, applicant electronically filed a response to the defendant's motion to dismiss. Opposer's response was not served on applicant as required by Trademark Rule 2.119(a) which provides that every paper filed with the Board in an inter partes proceeding must be served upon the other side and proof of service must be made before the paper will be considered by the Board.

In order to expedite this matter, a copy of the Opposer's November 27, 2008 paper is forwarded herewith to applicant's counsel. Notwithstanding the Board's willingness to effect service in this instance, strict compliance with Trademark Rule 2.119 is required by opposer in all future papers filed with the Board.

Opposer is allowed until **fifteen days** from the mailing date of this order to file its response, if any, to opposer's paper.

Proceedings remain suspended otherwise.

PRO SE INFORMATION

It is noted that opposer intends to represent itself in this proceeding. While Patent and Trademark Rule 10.14 permits any person to represent itself, it is generally advisable for a person who is not acquainted with the technicalities of the procedural and substantive law involved in inter partes proceedings before the Board to secure the services of an attorney who is familiar with such matters. The Patent and Trademark Office cannot aid in the selection of an attorney.

In addition, opposer should note that Trademark Rule 2.119(a) and (b) require that every paper filed in the Patent and Trademark Office in a proceeding before the Board must be served upon the attorney for the other party, or on the party if there is no attorney, and proof of such service must be made before the paper will be considered by the Board. Consequently, copies of all papers which opposer may subsequently file in this proceeding must be accompanied by a signed statement indicating the date and manner in which such service was made. The statement, whether attached to

or appearing on the paper when filed, will be accepted as prima facie proof of service.

It is recommended that opposer obtain a copy of the latest edition of Chapter 37 of the Code of Federal Regulations, which includes the Trademark Rules of Practice, and is available for a fee from U.S. Government Printing Office on the World Wide Web at <http://bookstore.gpo.gov>.

Strict compliance with the Trademark Rules of Practice and where applicable, the Federal Rules of Civil Procedure, is expected of all parties before the Board, whether or not they are represented by counsel.¹

¹ The Trademark Trial and Appeal Board Manual of Procedure (TBMP) is also available on the World Wide Web at <http://www.uspto.gov>.