

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

vw

Mailed: December 30, 2008

Opposition No. 91186903

Trek Bicycle Corporation

v.

Mark Forrest and
Virginia Welford

Elizabeth A. Dunn, Attorney:

On November 14, 2008, opposer filed a "stipulation", signed only by opposer, to abandon involved application Serial No. 77446533.¹

Inasmuch as the abandonment was neither filed nor signed by applicant, the abandonment is not properly before the Board and cannot be considered.

The parties are allowed until **thirty days** from the mailing date of this order to submit a stipulation signed by both parties, or an abandonment filed by applicant with opposer's consent, failing which the Board will issue a notice of default.

¹ It is noted that opposer's filing provides proof of service upon an address for applicant that is not of record in this proceeding. Applicant is reminded of the requirement to keep the Board apprised as to its current address so that Office records may be amended accordingly. See TBMP § 117.07. As a **one-time** courtesy, a copy of this order is hereby forwarded to the address list in the certificate of service.

The USPTO published a notice of final rulemaking in the Federal Register on August 1, 2007, at 72 F.R. 42242. By this notice, various rules governing Trademark Trial and Appeal Board inter partes proceedings are amended. Certain amendments have an effective date of August 31, 2007, while most have an effective date of November 1, 2007. For further information, the parties are referred to a reprint of the final rule and a chart summarizing the affected rules, their changes, and effective dates, both viewable on the USPTO website via these web addresses:

<http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf>

http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf

By one rule change effective August 31, 2007, the Board's standard protective order is made applicable to all TTAB inter partes cases, whether already pending or commenced on or after that date. However, as explained in the final rule and chart, this change will not affect any case in which any protective order has already been approved or imposed by the Board. Further, as explained in the final rule, parties are free to agree to a substitute protective order or to supplement or amend the standard order even after August 31, 2007, subject to Board approval. The standard protective order can be viewed using the following web address:

<http://www.uspto.gov/web/offices/dcom/ttab/tbmp/stndagmnt.htm>