

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

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Mailed: October 1, 2009

Opposition No. 91191698

McDonald's Corporation

v.

Lance R. Kaufman

Cheryl Goodman, Interlocutory Attorney:

The answer filed by defendant ("applicant") on September 14, 2009 is noted. The Board also notes that applicant failed to include proof of service of a copy of the answer on plaintiff ("opposer"), as required by Trademark Rule 2.119(a). To expedite matters, a copy of the answer is included with opposer's copy of this order. Applicant is reminded of his obligation to send a service copy of any paper filed with the Board to the adverse party's counsel, and to include proof of service when the paper is filed with the Board, such obligation further explained below.

The Board now turns its attention to applicants' intent to represent themselves pro se. While Patent and Trademark Rule 11.14 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, applicant should note that Trademark Rules 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 applicant may subsequently file in this proceeding must be accompanied by a signed statement indicating the date and manner in which such service was made or such filings may not be considered.

Applicant may wish to 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.<sup>1</sup>

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

Conferencing, disclosure, discovery and testimony periods remain as previously set.