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Filing date: **07/09/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91213584
Party	Plaintiff Jaguar Land Rover Limited
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Date	07/09/2015
Attachments	Reply re Late Payment of Fee.pdf(33195 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

JAGUAR LAND ROVER LIMITED,)	Opposition No. 91213584
)	
Opposer,)	
)	Serial No. 85867803
v.)	
)	
TOYS TEKK CORPORATION,)	
)	
)	
Applicant.)	

OPPOSER’S RESPONSE TO APPLICANT’S JULY 2, 2015 FILING

On July 2, 2015, Applicant Toys Tekk Corporation, through its counsel, filed “Applicant’s Objection To Opposer’s Misstatement On Board Action” (“Applicant’s Filing”). To the extent that Applicant’s Filing is a Reply regarding Applicant’s “Motion” to submit a late fee for a counterclaim against Registration No. 2100825, to which Opposer Jaguar Land Rover Limited filed a timely Response on June 4, 2015 (“Opposer’s Response”), such Reply is untimely. *See* TBMP § 502.02(b) (“A reply brief, if filed, . . . shall be filed within 15 days from the date of service of the brief in response to the motion (20 days if 37 CFR § 2.119(c) applies). The time for filing a reply brief will not be extended, even upon the parties’ consent.”).

Furthermore, Applicant’s inflammatory allegations of “false and misleading statements” and “bad faith” are incorrect and inappropriate and have no place in this proceeding. Opposer stands by the statements made in its Response. Specifically, in its January 30, 2014 Order, the Board refused to allow Applicant’s counterclaim because Applicant had failed to pay the requisite fee.

Notwithstanding its various filings and inflammatory allegations, Applicant has still failed to provide any justification for its failure to amend its counterclaims in a timely fashion. Accordingly, Opposer respectfully requests that Applicant's request be denied.

Respectfully submitted,

By: _____



Jennifer K. Ziegler
Chanille Carswell
Rebecca J. Cantor

Attorneys/Agents for Opposer

Date: July 9, 2015

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CERTIFICATE OF SERVICE

I certify that I served:

OPPOSER'S RESPONSE TO APPLICANT'S JULY 2, 2015 FILING

On July 9, 2015 by First Class Mail to:

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Correspondent for Applicant

By: 
Jennifer K. Ziegler