

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

Mailed: August 5, 2014

Opposition No. 91215449

Lumen Water, Inc.

v.

Nuclear Wine Company LLC

Cheryl S. Goodman, Interlocutory Attorney:

On July 18, 2014, applicant filed motion for leave to file an amended answer and counterclaim. Although the motion states that the counterclaim is accompanied by a fee, no fee has been recorded in the Office of Finance; there was no request to charge a deposit account in the motion. The motion for leave to amend, with respect to the counterclaim to cancel Registration No. 3953059 cannot be considered absent payment of the required fee. *See* Trademark Rules 2.106 (a)(16) and 2.111(a)(3)(i).

Applicant is allowed until FIFTEEN DAYS from the mailing date of this order to pay the fee.