

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

Baxley

Mailed: April 9, 2015

Opposition No. 91218603

Zeuter Inc.

v.

Ark Sciences, Inc.

Andrew P. Baxley, Interlocutory Attorney:

Proceedings herein are suspended pending disposition of Opposer's motion (filed April 2, 2015) to reopen time to respond to Applicant's motion for relief from judgment. *See* Trademark Rule 2.117(a) and 2.127(d). Any submission filed during the pendency of this motion which is not germane thereto will receive no consideration.

Opposer's motion, which is available online at <http://ttabvueint.uspto.gov/ttabvue/v?pno=91218603&pty=OPP&eno=13>, does not include proof of service upon Applicant, as required by Trademark Rule 2.119(a). *See infra*. Accordingly, Applicant is allowed until twenty days from the mailing date set forth in this order to file a brief in response thereto. Opposer's reply brief is due in accordance with Trademark Rules 2.119(c) and 2.127(a).

Opposer intends to represent itself herein. While Patent and Trademark Rule 11.14 permits any person to represent himself, it is generally advisable

for a person who is not acquainted with the technicalities of the procedural and substantive law involved in an opposition proceeding 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 this opposition, the parties should review the Trademark Board Manual of Procedure (TBMP) and the Trademark Rules of Practice, online at <http://www.uspto.gov/trademarks-application-process/trademark-trial-and-appeal-board-ttab.html>. The Board expects all parties appearing before it, whether or not they are represented by counsel, to comply with the Trademark Rules of Practice and where applicable, the Federal Rules of Civil Procedure, online at <http://www.law.cornell.edu/rules/frcp>.

Trademark Rules 2.119(a) and (b) state that every paper filed in this proceeding 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, e.g., by mail. The statement, whether attached to or appearing on the paper when filed, will be accepted as prima facie proof of service. Opposer is advised that the Board will not consider any further submissions from Opposer that are filed without proof of service upon opposer at its correspondence address of record.