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

Proceeding	91224781
Party	Plaintiff Birchbox, Inc.
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Signature	/Mary E. Brownfield/
Date	12/04/2015
Attachments	Notice of Undeliverable Mail.pdf(12195 bytes )

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

<p>BIRCHBOX, INC.,</p> <p style="text-align: center;">Opposer</p> <p style="text-align: center;">v.</p> <p>BIRDIEBOX, LLC.,</p> <p style="text-align: center;">Applicant.</p>	<p>Opposition No.: 91224781</p> <p>Mark: BIRDIEBOX Serial No. 86164031</p>
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**NOTICE OF UNDELIVERABLE NOTICE OF OPPOSITION**

Birchbox, Inc. ("Opposer") submits that it has been unable to serve the Notice of Opposition filed in this case upon Birdiebox, LLC ("Applicant"). See Trademark Rule 2.101(b), 37 C.F.R. § 2.101(b).

On November 3, 2015, Opposer filed a Notice of Opposition against Applicant's BIRDIEBOX mark shown in Serial No. 86164031. On the same date, counsel for Opposer ("Opposer's Counsel") served a copy of the Notice of Opposition via First Class Mail on Applicant's address of record according to the PTO's TSDR system:

Birdiebox LLC  
240 West 30<sup>th</sup> Street  
New York, New York, United States 10001

On November 24, 2015, the envelope containing a copy of the Notice of Opposition was returned to counsel for Petitioner as undeliverable.

In addition, Opposer's Counsel notes that the Notice of Opposition was served upon the following address of record for counsel for Applicant in the

related Opposition No. 91216943 (“Applicant’s Counsel”):

DOUGLAS I WALL  
QUINTAIROS PRIETO WOOD & BOYER PA  
255 SOUTH ORANGE AVENUE, 9TH FLOOR  
ORLANDO, FL 32801

On November 5, 2015, Applicant’s Counsel informed Opposer’s Counsel  
via email of Applicant’ new address:

Birdiebox, Inc.  
175 Mills Gap Rd.  
Suite 725  
Fletcher, North Carolina 28732

Respectfully submitted,

Dated: December 4, 2015

By /Mary E. Brownfield/  
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Attorneys for Opposer  
Birchbox Inc.

**CERTIFICATE OF SERVICE**

I certify that a true and accurate copy of the foregoing NOTICE OF UNDELIVERABLE NOTICE OF OPPOSITION and a copy of the original NOTICE OF OPPOSITION were served by first class mail, postage prepaid, on this 4<sup>th</sup> day of December 2015 upon Applicant at the following address of record:

Birdiebox LLC  
240 West 30<sup>th</sup> Street  
New York, New York, United States 10001

Birdiebox LLC  
71 West 23<sup>rd</sup> Street  
Suite 903  
New York, New York, United States 10010

A courtesy copy of the foregoing NOTICE OF UNDELIVERABLE NOTICE OF OPPOSITION and a copy of the original NOTICE OF OPPOSITION were served by first class mail, postage prepaid, on this 4th day of December 2015, upon counsel for Applicant in the related Opposition No. 91216943:

DOUGLAS I WALL  
QUINTAIROS PRIETO WOOD & BOYER PA  
255 SOUTH ORANGE AVENUE, 9TH FLOOR  
ORLANDO, FL 32801

I certify that a true and accurate copy of the foregoing NOTICE OF UNDELIVERABLE NOTICE OF OPPOSITION and a copy of the original NOTICE OF OPPOSITION were served by first class mail, postage prepaid, on this 4<sup>th</sup> day of December 2015 upon Applicant at the following address:

Birdiebox, Inc.  
175 Mills Gap Rd.  
Suite 725  
Fletcher, North Carolina 28732

/Jacob T. Mersing/

Jacob T. Mersing  
Senior Litigation Assistant