

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Mailed: March 26, 2002

Cancellation No. 92027164

CR/PL, L.L.C.

v.

RONALD B. TOSH

**David Mermelstein, Interlocutory Attorney:**

The record herein indicates that, after service of the petition for cancellation by publication in the Official Gazette of the Patent and Trademark Office, and no appearance having been entered in response thereto, the petition for cancellation was granted and, on April 21, 1999, the subject registration was cancelled.

This case now comes up on respondent's "motion for relief from final judgment," and "response to petition for cancellation and counter petition for cancellation," both filed September 27, 2001.

Respondent's motion, answer, and counterclaim will not be considered at this time, however, because petitioner's papers do not evidence service of the same upon the adverse party. Trademark Rule 2.119(a). Respondent is cautioned

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that the Board's rules respecting the service and filing of papers will be strictly enforced.

Copies of respondent's recently-filed papers are enclosed with petitioner's copy of this order. Petitioner may file a response, if desired, no later than **FORTY DAYS** from the date of this order. Petitioner need not file a response to respondent's counterclaim until after resolution of respondent's motion for relief from judgment.

This order is being provided to both petitioner and its attorney of record, as well as respondent, as indicated below.

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