

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Am

Mailed: February 4, 2009

Cancellation No. 92048547

INVERSIONES EBLIN, S.A.

v.

TOKAY & ASSOCIATES

**Robert H. Coggins,
Interlocutory Attorney:**

On January 7, 2009, petitioner's attorneys filed a request to withdraw as counsel of record in this case. The request to withdraw as counsel is in compliance with the requirements of Trademark Rule 2.19(b) and Patent and Trademark Rule 10.40, and is accordingly granted. The law firm of Malloy & Malloy, P.A., no longer represents petitioner in this proceeding.

In view of the withdrawal of petitioner's counsel, and in accordance with standard Board practice, proceedings herein are suspended, and petitioner is allowed until **thirty days** from the mailing date of this order to appoint new counsel, or to file a paper stating that petitioner chooses to represent itself. If petitioner files no response, the Board may issue an order to show cause why default judgment should not be

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entered against petitioner based on petitioner's apparent loss of interest in the case.

The parties will be notified by the Board when proceedings are resumed, and dates will be rescheduled at the appropriate time.

A copy of this order has been sent to all persons listed below.

cc:

John Cyril Malloy, III
Malloy & Malloy, P.A.
2800 S.W. 3rd Avenue
Miami, FL 33129

Arthur E. Vossberg III
The Law Offices of A.E. Vossberg III
1100 Buckingham Way
Yardley, PA 19067

Inversiones Eblin, S.A.
Sector Hainamosa
Carretera Mella, Kilometro 13
Santo Domingo, Dominican Republic

Dubar & Co.¹
Ave. Ulises Heraux No. 20
Villa Duarte
Santo Domingo, Dominican Republic

¹ It is unknown why counsel for petitioner Inversiones Eblin, S.A., requested that correspondence be sent to Dubar & Co., an entity other than opposer. Although the relationship between these entities is unknown, the Board has sent a copy of this order to both Inversiones Eblin, S.A., and Dubar & Co.

NEWS FROM THE TTAB:

The USPTO published a notice of final rulemaking in the Federal Register on August 1, 2007, at 72 F.R. 42242. By this notice, various rules governing Trademark Trial and Appeal Board inter partes proceedings are amended. Certain amendments have an effective date of August 31, 2007, while most have an effective date of November 1, 2007. For further information, the parties are referred to a reprint of the final rule and a chart summarizing the affected rules, their changes, and effective dates, both viewable on the USPTO website via these web addresses:

<http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf>
http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf

By one rule change effective August 31, 2007, the Board's standard protective order is made applicable to all TTAB inter partes cases, whether already pending or commenced on or after that date. However, as explained in the final rule and chart, this change will not affect any case in which any protective order has already been approved or imposed by the Board. Further, as explained in the final rule, parties are free to agree to a substitute protective order or to supplement or amend the standard order even after August 31, 2007, subject to Board approval. The standard protective order can be viewed using the following web address:

<http://www.uspto.gov/web/offices/dcom/ttab/tbmp/stndagmnt.htm>