

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

MBA/nmt

Mailed: November 12, 2009

Cancellation No. 92050173

Aveda Corporation

v.

Matthew James Landis

Michael B. Adlin, Interlocutory Attorney:

Respondent's motion (filed November 9, 2009) to amend his Registration No. 3483102 by deleting "LIFESTYLE SALON" is noted.¹ Trademark Rule 2.173(a), 37 C.F.R. § 2.173(a) requires that when the registration sought to be amended is involved in an *inter partes* proceeding before the Board, the motion to amend the registration must be signed by the registrant and verified or supported by a declaration under Trademark Rule 2.20, 37 C.F.R. § 2.20. However, respondent's motion to amend the registration does not include the required verification or declaration, a substitute drawing or petitioner's consent.

¹ Respondent's motion does not indicate proof of service on counsel for petitioner as required by Trademark Rule 2.119. In order to expedite this matter, a copy of the motion is forwarded herewith to counsel for petitioner.

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Accordingly, respondent is allowed until **THIRTY DAYS** from the mailing date of this order to file the required verification or declaration and substitute drawing, and to provide petitioner's consent, failing which consideration of respondent's motion to amend will be deferred until final decision herein and the petition to cancel will go forward on the registration as issued. See Trademark Rule 2.114(c).
