

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

Mailed: August 24, 2012

Cancellation No. 92055598

Dylan Kwasniewski IP Holding
Co., LLC

v.

Emanuel J. Severe

Cheryl S. Goodman, Interlocutory Attorney:

On July 23, 2012, the Board issued an order setting aside default and directing applicant to file an answer admitting and denying the allegations in the petition to cancel. The Board further advised applicant that all papers filed in this proceeding must be served on petitioner. Applicant filed a paper via ESTTA on August 20, 2012 which applicant identified as confidential. However, the attachment to this filing is identified as applicant's answer and is not confidential.

It appears that applicant has improperly filed this document as confidential when it is in no way confidential. Therefore, the document has been made unmarked and is available for public viewing. Applicant is directed to review the requirements for confidential filings and to refrain from filing non-confidential documents as

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confidential filings. See TBMP Section 106.03 (3d ed. rev. 2012). It is noted that all confidential filings require a redacted version for the public record.

Additionally, although the Board advised applicant of the requirements regarding service, applicant's answer is unaccompanied by a certificate of service which is prima facie evidence of service on petitioner.

To expedite matters, a copy of the answer is available to opposer at the following link:

<http://ttabvue.uspto.gov/ttabvue/ttabvue-92055598-CAN-7.pdf>.

Applicant is advised that strict compliance with the requirement to serve every paper on the adverse party's counsel is expected with respect to all future filings with Board, and that under the Trademark Rule, the Board may give no consideration to filings which do not comply with this requirement. Trademark Rule 2.119.

The suggested format for certificate of service is as follows:

I hereby certify that a true and complete copy of the foregoing (insert title of submission) has been served on (insert name of opposing counsel or party) by mailing said copy on (insert date of mailing), via First Class Mail, postage prepaid (or insert other appropriate method of delivery) to: (set out name and address of opposing counsel or party).

Signature

Dates remain as last reset.