

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

Mailed: May 19, 2014

Cancellation No. 92057222

Jollibee Foods Corporation

v.

Chick-N-Joy Systems Limited

**George C. Pologeorgis,
Interlocutory Attorney:**

On April 18, 2014, petitioner filed a motion for summary judgment on its asserted claim of abandonment. The Board suspended this proceeding on May 1, 2014 pending the disposition of petitioner's motion for summary judgment. On May 16, 2014, respondent filed a response to petitioner's motion for summary judgment, as well as a separate cross-motion for summary judgment on petitioner's claim of abandonment.¹

¹ The Board notes that respondent served its response to petitioner's motion for summary judgment and its cross-motion for summary judgment by electronic transmission. The record does not demonstrate that the parties have stipulated to accept service of papers by email. Because it is unclear whether the parties have entered into such a stipulation, the Board has afforded petitioner time to respond to respondent's response to petitioner's motion for summary judgment, as well as respondent's cross-motion for summary judgment, as if respondent had served its response and cross-motion by first-class mail. Unless the parties have stipulated to accept service by email, the parties should refrain from serving papers by electronic transmission, but may serve email courtesy copies. To the extent the parties have stipulated to accept service of papers by email, the parties should so indicate in their certificate of service of filings made with the Board.

Petitioner is allowed until **June 20, 2014** in which to file a combined response to respondent's cross-motion for summary and reply brief in support of its motion for summary judgment.

Respondent may file a reply brief in support of its cross-motion for summary judgment in accordance with Trademark Rule 2.127(e).

Proceedings otherwise remain suspended pending the disposition of the parties' respective motions for summary judgment.