

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

Mailed: September 10, 2013

Cancellation No. 92057484

Shirley's World, L.P.

v.

Earl C. J. Prater

Veronica P. White, Paralegal Specialist:

Respondent's motion (filed August 12, 2013) fails to indicate proof of service on petitioner, as required by Trademark Rule 2.119. Respondent, should note that Trademark Rule 2.119(a) and (b) require that every paper filed in the Patent and Trademark Office in a proceeding before the Board must be served upon the attorney for the other party, or on the party if there is no attorney, and proof of such service must be made before the paper will be considered by the Board. Consequently, copies of all papers which respondent may subsequently file in this proceeding must be accompanied by a signed statement indicating the date and manner in which such service was made. The statement, whether attached to or appearing on the paper when filed, will be accepted as prima facie proof of

service. This written statement should take the form of a "certificate of service" and should read as follows:

The undersigned hereby certifies that a true and correct copy of the foregoing [insert title of document] was served upon petitioner by forwarding said copy, via first class mail, postage prepaid to: [insert name and address].

The certificate of service must be signed and dated.

In order to expedite this matter, petitioner can view a copy of respondent's submission at:

<http://ttabvue.uspto.gov/ttabvue/v?pno=92057484&pty=CAN&eno=5>.

Strict compliance with Trademark Rule 2.119 is required in all further papers which respondent may file with the Board.

The Board may decline to consider any motion or paper filed by respondent in this proceeding which does not include the required proof of service.

Petitioner is allowed until **FIFTEEN (15) DAYS** from the mailing date of this order to file its response, if it so desires. If no response is filed, respondent's requested extension of time to answer will be granted as conceded.

If, either of the parties or their attorneys should have a change of address, the Board should be so informed.¹

Proceedings are otherwise **SUSPENDED** pending disposition of respondent's motion.

¹ The Board's records have been updated to reflect respondent's change of correspondence address (filed August 12, 2013).