

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

JMW

Mailed: December 1, 2015

Cancellation No. 92062364

Anom Suheri, Anthony Marcotti, Raymond
Wilcoxon and D3 Holdings, LLC

v.

Raihana Heuer

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

Suspension for Motion to Dismiss

Proceedings are suspended pending disposition of Respondent's motion to dismiss (filed November 10, 2015). Any paper filed during the pendency of this motion which is not relevant thereto will be given no consideration. *See* Trademark Rule 2.127(d).

Service Requirements

It is noted that the certificate of service accompanying Petitioner's brief in opposition to the motion is defective because it does not evidence proof of service; instead, it merely promises that service will be completed at some point in the future. Although Petitioner's later-filed "Proof of Personal Service" document (filed November 19, 2015) cures the original service defect, the better practice is for each filing to itself evidence *prima facie* proof of service. It is further noted that Petitioner's "Proof of Personal Service" filing itself fails to indicate proof of service of a copy of same upon

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Respondent as required by Trademark Rule 2.119.¹ In order to expedite this matter, Respondent is directed to the following URL where it may view a copy of the filing:

<http://ttabvue.uspto.gov/ttabvue/v?pno=92062364&pty=CAN&eno=7>

Strict compliance with Trademark Rule 2.119 is required of Petitioner in all future papers filed with the Board.

Change of Correspondence Address

Respondent's change of correspondence address (filed November 10, 2015) is noted and entered.

¹ Inasmuch as every document filed in an *inter partes* proceeding before the Board must be served by the filing party upon the other party, Petitioner's "Proof of Service" filing should have itself been served upon Respondent and included proof of such service. *See* Trademark Rule 2.119(a); TBMP § 113.01 (2015)