

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

WINTER

Mailed: October 5, 2007

Opposition No. 91165427

Safco Products Co.

v.

HNI Technologies Inc.

Jyll S. Taylor, Administrative Trademark Judge:

On June 7, 2007, the Board suspended this proceeding until September 4, 2007, pending settlement negotiations between the parties.

On September 4, 2007, opposer filed a consented motion to suspend this proceeding for an additional ninety days so that the parties may continue settlement negotiations. While the motion is otherwise acceptable, a review of the certificate of service shows that a copy of the subject motion was not served on applicant's counsel of record, as required under Trademark Rule 2.119, 37 C.F.R. § 2.119. In addition, the certificate of service was not signed. *Id.* See TBMP § 113 (2d ed. rev. 2004). Accordingly, the certificate of service is unacceptable on its face.

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In view thereof, consideration of the motion is deferred. Opposer is allowed until **FIFTEEN DAYS** from the mailing date of this order to serve a copy of the motion to suspend on opposing counsel of record and proof of such service with the Board, failing which the motion will not be further considered.

Proceedings are otherwise **SUSPENDED**.



NEWS FROM THE TTAB:

The USPTO published a notice of final rulemaking in the Federal Register on August 1, 2007, at 72 F.R. 42242. By this notice, various rules governing Trademark Trial and Appeal Board inter partes proceedings are amended. Certain amendments have an effective date of August 31, 2007, while most have an effective date of November 1, 2007. For further information, the parties are referred to a reprint of the final rule and a chart summarizing the affected rules, their changes, and effective dates, both viewable on the USPTO website via these web addresses:

<http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf>
http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf

By one rule change effective August 31, 2007, the Board's standard protective order is made applicable to all TTAB inter partes cases, whether already pending or commenced on or after that date. However, as explained in the final rule and chart, this change will not affect any case in which any protective order has already been approved or imposed by the Board. Further, as explained in the final rule, parties are free to agree to a substitute protective order or to supplement or amend the standard order even after August 31, 2007, subject to Board approval. The standard protective order can be viewed using the following web address:

<http://www.uspto.gov/web/offices/dcom/ttab/tbmp/stndagmnt.htm>