

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

tlc

Mailed: February 1, 2011

Opposition No. 91196625

BeautyBank Inc.

v.

Kumar Ramani

Linda Skoro, Interlocutory Attorney

Opposer's motion (filed January 13, 2011) is noted.¹ On November 9, 2010, the Board issued an order suspending this proceeding for thirty days in view of the withdrawal of applicant's counsel on October 28, 2010.²

Withdrawal of Counsel

¹ Opposer's motion filed (January 13, 2011) fails to indicate appropriate proof of service on applicant, as required by Trademark Rule 2.119. In order to expedite this matter, applicant is advised that a copy of the paper is viewable on the Office's website at:
<http://ttabvueint.uspto.gov/ttabvue/v?pno=91196625&pty=OPP&eno=6>

² Applicant's withdrawal of attorney (filed October 28, 2010) fails to indicate proof of service on opposer, as required by Trademark Rule 2.119. In order to expedite this matter, opposer is advised that a copy of the paper is viewable on the Office's website at:
<http://ttabvueint.uspto.gov/ttabvue/v?pno=91196625&pty=OPP&eno=4>

Notwithstanding, strict compliance with Trademark Rule 2.119 is required by the parties in all future papers filed with the Board.

Further review of applicant's withdrawal of counsel indicates that applicant chooses to represent itself.³

Inasmuch as Kumar Ramani, has chosen to represent itself, the motion is now granted. The Palik Law Office no longer represents applicant in this proceeding.

Schedule

Accordingly, proceedings herein are resumed and applicant is allowed until **thirty days** from the mailing date of this order to file an answer to the notice of opposition.

Conferencing, disclosure, discovery and trial dates are reset as follows:

Time to Answer	3/3/11
Deadline for Discovery Conference	4/2/11
Discovery Opens	4/2/11
Initial Disclosures Due	5/2/11
Expert Disclosures Due	8/30/11
Discovery Closes	9/29/11
Plaintiff's Pretrial Disclosures	11/13/11
Plaintiff's 30-day Trial Period Ends	12/28/11
Defendant's Pretrial Disclosures	1/12/12
Defendant's 30-day Trial Period Ends	2/26/12
Plaintiff's Rebuttal Disclosures	3/12/12
Plaintiff's 15-day Rebuttal Period Ends	4/11/12

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

³ In light of applicant's notification that it will be representing itself, and in that the Board is allowing applicant thirty days to file an answer, opposer's motion (filed January 13, 2011) is denied as moot.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

Pro Se Information

Applicant should note that although Patent and Trademark Rule 10.14 permits a person to represent itself in a Board proceeding, it is generally advisable for those unfamiliar with the applicable rules to secure the services of an attorney familiar with such matters. The Patent and Trademark Office cannot aid in the selection of an attorney.

Inasmuch as applicant chooses to represent itself, applicant will be expected to comply with all applicable rules and Board practices during the remainder of this case. The Trademark Rules of Practice, other Federal regulations governing practice before the Patent and Trademark Office, and many of the Federal Rules of Civil Procedure govern the conduct of this cancellation proceeding.

Applicant will have to familiarize itself with the rules governing this proceeding. The Trademark Rules are codified in part two of Title 37 of the Code of Federal Regulations (also referred to as the CFR). The CFR and the Federal Rules of Civil Procedure are likely to be found at most law libraries and may be available at some public libraries. The Board's manual of procedure will also be helpful.

Opposition No. 91196625

On the World Wide Web, respondent may access most of these materials by logging onto <http://www.uspto.gov> and making the connection to trademark materials.

Strict compliance with the Trademark Rules of Practice, and where applicable the Federal Rules of Civil Procedure, is expected of all parties before the Board, whether or not they are represented by counsel.

As a reminder, Trademark Rules 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 applicant 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.

A copy of this order is being sent to all persons listed below.

cc:

IRA S SACKS
THE LAW OFFICES OF IRA S SACKS
575 MADISON AVENUE 10TH FLOOR
NEW YORK, NY 10022

JAMES N PALIK

Opposition No. 91196625

PALIK LAW OFFICE
PO BOX 154
MC DONOUGH, NY 13801-0154

KUMAR RAMANI
PO BOX 805
PRINCETON JUNCTION, NJ 08550