

TTAB

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

Mailed: August 22, 2012

Opposition No. **91205106**

Gans-Mex, LLC d.b.a MPD

v.

Dual Groupe LLC

Cheryl S. Goodman, Interlocutory Attorney:

The Board construes opposer's filing of July 12, 2012 as a motion for summary judgment. Inasmuch as no initial disclosures have been served in this case, the motion is premature and will be given no consideration.

Opposer's filings of July 12, 2012 and August 13, 2012 are not accompanied by a certificate of service. All papers filed in this proceeding must be served on applicant, or applicant's counsel if represented by an attorney. Such filings should be accompanied by a certificate of service to establish prima facie evidence of proof of service on their adversary. Trademark Rules 2.119(a)-(b).

Opposer is allowed until TEN DAYS from the mailing date of this order to serve the August 13, 2012 filing and to provide proof of such service with the Board, otherwise the August 13, 2012 filing will be given no consideration. In addition, future filings should comply with the requirements


09-10-2012

of Trademark Rule 2.126, i.e., double spaced and bearing a heading, identifying the nature of the filing and so forth. See TBMP Section 106 (3d ed. rev. 2012).

Applicant's filing of August 8, 2012 does not include a copy of the federal complaint which applicant asserts involves matters also at issue herein. Applicant is allowed until TEN DAYS from the mailing date of this order to file a copy of federal complaint involving the parties in this proceeding.

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