

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

Mailed: March 3, 2015

Opposition No. 91211521

Alpargatas S.A. (formerly, Sao Paulo  
Alpargatas S.A)

v.

Lisa Frank, Inc. dba Lisa Frank  
Company<sup>1</sup>

**Karl Kochersperger, Paralegal Specialist:**

On February 20, 2015, applicant filed a proposed amendment to its involved application without opposer's consent.<sup>2</sup>

The Board ordinarily defers consideration of an unconsented motion to amend in substance, such as the instant motion, until final hearing, or until the case is decided upon summary judgment. See *Fort Howard Paper Co. v. C.V. Gamina Inc.*, 4 USPQ2d 1552 (TTAB 1987); see also *Mason Engineering &*

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<sup>1</sup> On February 12, 2015, applicant's attorneys filed a request to withdraw as applicant's counsel of record in this proceeding. A copy of said request has been placed in both the opposition file and the application file. The request to withdraw as counsel is in compliance with the requirements of Trademark Rules 2.19(b) and Patent and Trademark Rule 11.116, and is accordingly granted. The law firm of Lewis Roca Rothgerber, LLP no longer represents applicant in this proceeding. The change of correspondence address filed February 20, 2015 for applicant is noted and the proceeding file has been updated to reflect applicant's new in-house counsel.

<sup>2</sup> Applicant's amendment does not indicate proof of service of a copy of same on counsel for opposer, as required by Trademark Rule 2.119. A copy of the amendment can be viewed using TTABVUE at <http://ttabvue.uspto.gov>. Future filings must comply with the service requirements in Trademark Rule 2.119 and TBMP Section 113. The Board may decline to consider future non-compliant filings.

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*Design Corp. v. Mateson Chemical Corp.*, 225 USPQ 956, 957 n.4 (TTAB 1985).

In accordance with ordinary Board practice, consideration of the proposed amendment is deferred until final hearing.

In view thereof, applicant's identification of goods remains as set forth in the involved application.

Dates remain as previously set.