

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

Mailed: October 14, 2013

Opposition No. 91212719

Sac Aquisition LLC

v.

DE FURSAC

**Denise M. DelGizzi,
Technical Program Manager:**

Application Serial No. 79107765, the application involved in this proceeding, was transmitted to the USPTO on January 19, 2013. Pursuant to Trademark Act § 68(c)(1)(C), the USPTO sent a notice to the International Bureau (IB) of the World Intellectual Property Organization on March 6, 2013, advising the IB of the possibility of an opposition filed after the expiration of 18 months from the date the application was transmitted to the USPTO. That notice appears in the file of the subject application.

The instant opposition commenced on September 23, 2013. Pursuant to Trademark Act § 68(c)(2), notice of the

opposition was sent to the IB on March 6, 2013. On October 4, 2013, a notice of irregularity was received from the IB with respect to the notice of opposition in this case, alleging that the notice of opposition was untimely.

On October 13, 2013, the Board contacted the IB and pointed out what appeared to be an error on the part of the IB examiner and requested that the irregularity be withdrawn. Shortly thereafter, on October 14, 2013, the Board received confirmation from the IB that the irregularity was indeed issued in error.¹

In view of the foregoing, the notice of irregularity issued on October 11, 2013 should be disregarded. The parties are advised that this opposition will proceed on the schedule set out in the September 28, 2013 institution order.

¹ A copy of the email communication has been entered into the record of this proceeding at docket entry #5.