

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: May 4, 2017

Opposition No. 91216122

Instagram, LLC

v.

Evergram, Inc

Karl Kochersperger, Paralegal Specialist:

Applicant's abandonment filed April 26, 2017 does not include proof of service. Trademark Rule 2.119(a) states that every submission filed in an *inter partes* proceeding must be served upon the other party or parties, and proof of such service must be made before the submission will be considered. See TBMP § 113.02. Accordingly, the Board will give Applicant's abandonment no consideration at this time. Applicant is allowed twenty days to serve a copy of its filing on Opposer and to re-file its motion including a proper certificate of service,¹ failing which this motion will be processed as not having Opposer's written consent.

The Board informed the parties of the rules governing service and the service requirement in the notice of institution. Trademark Rule 2.119(b) sets forth the

¹ It is noted that Applicant's filing intends to dispose of this proceeding. As the filing fails to include a certificate of service, the Board is unclear as to whether the Opposer has received a copy of this motion, even though Applicant has included an "electronic signature" for Opposer.

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manner of service. *See also* TBMP § 113.04. The parties may access the record of this proceeding via TTABVUE at: <http://ttabvue.uspto.gov/ttabvue/>.

Proceedings are suspended pending Applicant's response to this order.