

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

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Mailed: January 26, 2017

Opposition No. 91226018

G. Michael Roebuck, P.C.

v.

Wild Rabbit LLC DBA Rabbit Wilde

Ann Linnehan, Interlocutory Attorney

Petitioner's motion for leave to amend pleadings (filed December 30, 2016) is hereby granted as conceded. The amended pleading is now the operative pleading.

On November 28, 2016, Opposer/Counterclaim Respondent filed a proposed amendment to its Registration Nos. 4055935 and 4999853.

By the proposed amendment Respondent seeks to amend the name of the owner of the registrations from "Michael Roebuck, P.C." to "G. Michael Roebuck, P.C."

Although the amendment is otherwise acceptable, it was (1) not accompanied by the proper fee under Trademark Rule 2.6;¹ and/or (2) not verified or supported by a declaration under Trademark Rule 2.20. *See* Trademark Rules 2.6(a)(11), 2.133(a) and 2.173(b).

¹ Opposer/Counterclaim Respondent has paid only \$100.00, although Opposer wishes to amend two separate registrations. The fee to amend a registration is \$100.00 per registration file.

Accordingly, Opposer/Counterclaim Respondent is allowed thirty days from the mailing date of this order to submit the required fee and/or declaration in support of the amendment, failing which said amendment will be given no further consideration.

Proceedings are otherwise suspended.

Lastly, the standard protective agreement filed on January 20, 2017 is noted and its use in this proceeding is approved.² *See* Trademark Rule 2.116(g). The parties are referred, as appropriate, to TBMP §§ 412.04 (Filing Confidential Materials With Board), and 412.05 (Handling of Confidential Materials by the Board).

The parties are advised that only confidential or trade secret information should be filed pursuant to a stipulated protective agreement. Such an agreement may not be used as a means of circumventing Trademark Rules 2.27(d) and (e), which provide that the file of a published application or issued registration, and all proceedings relating thereto, should otherwise be available for public inspection. The Board may treat as not confidential that material which cannot reasonably be considered confidential, notwithstanding a designation as such by a party. *See* Trademark Rule 2.116(g).

² The Board observes that this is the standard protective order and *not* an alternative order. Therefore, it is not necessary for the parties to sign the copy of the order. If the Board is incorrect and the copy submitted contains a modification of the standard order, the parties should so indicate and filed a signed copy for it to take effect. TBMP Section 412.01.