

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
General Email: TTABInfo@uspto.gov

SKS/ey

February 4, 2020

Opposition No. 91253203

Blitz NV, LLC

v.

Blitz Brand Apparel, LLC

Shanna K. Sanders, Interlocutory Attorney:

It has come to the Board's attention that a revocation of attorney was filed with the Trademark Examining Operation on January 7, 2020 by using the Trademark Electronic Application System (TEAS), and therefore it was not associated with the Board proceeding.

When an application or registration is involved in a Board proceeding, jurisdiction over the application or registration lies with the Board and submissions must be filed with the Board by using the Board's Electronic System for Trademark Trials and Appeals (ESTTA) at <http://estta.uspto.gov/>, as required by the Trademark Rules. Accordingly, the revocation of attorney filed through TEAS will not be considered in the context of this opposition proceeding. Alexander JSW Johnson of the firm LegalZoom Legal Services, Ltd. remains as Applicant's representative in this proceeding.

However, in view of the circumstances, proceedings are **SUSPENDED** and Applicant's counsel is allowed until **20 DAYS** from the date of this order in which to file a motion to withdraw as Applicant's representative in this proceeding.

Inasmuch as proceedings are suspended, Applicant's motion for extension filed January 10, 2020 is moot.¹ When proceedings resume, dates will be reset, including Applicant's deadline to answer.

Information Regarding Motions to Withdraw as Representative

A motion to withdraw as representative must comply with Trademark Rules 2.19(b) and Patent and Trademark Rule 11.116. The motion to withdraw as counsel must be filed through ESTTA, and must include all of the following requirements: (1) a specification of the basis for the request; (2) a statement that the practitioner has notified the client of his or her desire to withdraw from employment, and has allowed time for employment of another practitioner; (3) a statement that all documents and property that relate to the proceeding and to which the client is entitled have been delivered to the client; (4) if any part of a fee paid in advance has not been earned, a statement that the unearned part has been refunded, or, if appropriate a statement that no fees have been paid in advance and not refunded; and (5) proof of service of the request upon the client and upon every other party to the proceeding. *See* Trademark Rule 2.19(b). *Cf. In re Legendary Inc.*, 26 USPQ2d 1478 (Comm'r 1992).

¹ Applicant's motion for extension 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 submission can be viewed using TTABVUE at <http://ttabvue.uspto.gov>.

Information Regarding Proof of Service

Copies of all submissions filed in this proceeding must be served upon the other party or parties, and accompanied by a statement signed by the attorney or other authorized representative, attached to or appearing on the original submission when filed, clearly stating the date and manner in which service was made. *See* Trademark Rule 2.119(a); TBMP § 113.03. The statement will be accepted as prima facie proof of service, must be signed and dated, and should take the form of a certificate of service as follows:

I hereby certify that a true and complete copy of the foregoing (insert title of submission) has been served on (insert name of opposing counsel or party) by forwarding said copy on (insert date of mailing), via email (or insert other appropriate method of delivery) to: (set out name, and address or email address of opposing counsel or party).

Signature _____
Date _____

At the following link to TTABVue, the parties may view all submissions in this proceeding: <http://ttabvue.uspto.gov>.

As a courtesy, a copy of this order will be sent to the following addresses.

cc:

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