

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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LTS

November 4, 2020

Opposition No. 91263775

PerkinElmer Health Sciences, Inc.

v.

Anova Enterprises, Inc.

Lawrence T. Stanley, Jr., Interlocutory Attorney:

On August 26, 2020, Applicant filed a document with a submission title of “Withdrawal of Application,” but the substance of the submission is a copy of the involved application in the proceeding, not a request to withdraw the involved application. 4 TTABVUE. *See* Trademark Rules 2.68 and 2.135; TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE (TBMP) § 602.01 (2020). Applicant’s August 26, 2020 submission also 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.

In view of the foregoing, the Board will give Applicant’s August 26, 2020 submission no consideration. However, inasmuch as it appears that Applicant may have intended to withdraw its application, proceedings are **suspended**, and

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Applicant is allowed until **twenty days from the date of this order** to file a withdrawal of the application, failing which the Board will resume proceedings and reset dates.