

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
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General Email: TTABInfo@uspto.gov

jv

August 30, 2024

Opposition No. 91292337

*Casio Keisanki Kabushiki Kaisha DBA Casio
Computer Co., Ltd.*

v.

Philip Thornton

Jacob Vigil, Interlocutory Attorney:

On June 28, 2024, Applicant's attorney filed a request to withdraw as counsel of record in this proceeding. On July 2, 2024, the Board granted the request, and allowed Applicant thirty days to appoint new counsel or file a paper stating that Applicant chooses to represent itself. On July 29, 2024, Applicant filed a motion, signed by attorney Mark Jaffe, requesting an extension of time to retain counsel.

An attorney is accepted as representative of a party in a proceeding before the Board if the attorney signs a document that is filed with the Board on behalf of the party and the signatory is satisfactorily identified as an attorney. *See* Trademark Rule 2.17(b)(1)(ii), 37 C.F.R. § 2.17(b)(1)(ii); TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE (TBMP) § 114.03 (2024). The motion is signed by Mr. Jaffe, states that Mr. Jaffe is "the attorney for Applicant Philip Thornton," and states that Mr. Jaffe is acting "[o]n Applicant's behalf." 6 TTABVUE 2. Accordingly, although

Mr. Jaffe claims he had “not been retained to appear on [Applicant’s] behalf in these proceedings,” Mr. Jaffe made an appearance in this proceeding by signing and filing the motion to extend.

Effective August 3, 2019, the USPTO amended its rules to require all practitioners qualified under § 11.14(a) to be an active member in good standing and to provide the name of a state in which he or she is an active member in good standing; the date of admission to the bar of the named state; and the bar license number, if one is issued by the named state. Trademark Rule 2.17(b)(3), 37 C.F.R. § 2.17(b)(3).

Inasmuch as it’s unclear whether Mr. Jaffe will make further appearances in this proceeding going forward, and the requested thirty days have passed,¹ Applicant is allowed **TEN DAYS** from the date of this order to either confirm Mr. Jaffe’s representation by providing the required bar information using the Change of Address form in ESTTA,² appoint new counsel, or file a paper stating that Applicant chooses to represent itself.

If Applicant fails to comply with this order, the Board may issue an order to show cause.

Proceedings are otherwise **suspended**. The parties will be notified by the Board when proceedings are resumed.

¹ In view thereof, the motion to extend, 6 TTABVUE, and Opposer’s response thereto, 7 TTABVUE, are moot and will receive no further consideration.

² The bar information entered on the ESTTA Change of Address form will be masked from TTABVUE.