

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

June 8, 2021

Cancellation No. 92077040

De Okwesilieze International Women's Club

v.

Dr. Gracie Chukwu

Victoria von Vistauxx, Paralegal Specialist:

1. Certificate of Service

Respondent's proof of service in its answer to the petition to cancel attests that "a copy of the foregoing Answer was served by the Court's electronic case filing system via email on all counsel of record on June 4, 2021." 4 TTABVUE 4. However, as explained in TBMP § 110.03, ESTTA does not serve filings upon opposing parties. *See also, Coffee Studio LLC v. Reign LLC*, 129 USPQ2d 1480, 1482 (TTAB 2019) (filing notice sent to each party by ESTTA does not constitute service); *Equine Touch Found. Inc. v. Equinology Inc.*, 91 USPQ2d 1943, 1944 n.5 (TTAB 2009) ("Actual forwarding of the service copy, however, is the responsibility of the filer, as ESTTA does not effect service for the filer."); *Schott AG v. Scott*, 88 USPQ2d 1862, 1863 n.3 (TTAB 2008)

(same). The Board accepts the answer. However, any future submission that does not include proof of service may be denied consideration.¹

As explained in Trademark Rule 2.119, 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 _____

2. Bar Membership Information

The record shows that Petitioner and Respondent are represented by a counsel. Effective August 3, 2019, the USPTO amended its rules to require all practitioners qualified under 37 C.F.R. § 11.14(a) 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. 37 C.F.R. § 2.17(b)(3).

¹ At the following link to TTABVue, the parties may view all submissions in this proceeding: <https://ttabvue.uspto.gov>.

Accordingly, Petitioner and Respondent are allowed **TEN (10) DAYS** from the mailing date of this order to provide the required bar information using the Change of Address form in ESTTA.² The bar information entered on the ESTTA Change of Address form will be masked from TTABVUE, the Board's publicly-available docket and file information.

If the required information is not filed in the time allowed, the Board may issue an order to show cause for failure to provide the required information.

Trial dates remain as set in the Board's institution order dated May 1, 2021.

² When representing a U.S.-domiciled party or parties, the person filing must check the "I am represented by an attorney" checkbox at the bottom of the applicable ESTTA screen.