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Format 1 Suggested Format for Ex Parte Appeal From Trademark Examining Attorney to Trademark Trial and Appeal Board

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

.....
(Name of applicant)

.....
(Serial Number of application)

.....
(Filing date of application)

.....
(Mark)

NOTICE OF APPEAL

Applicant hereby appeals to the Trademark Trial and Appeal Board from the decision of the Trademark Examining Attorney refusing registration.(1)

By.....
(Signature)(2)

.....
(Identification of person signing)(3)

FOOTNOTES

(1) The required fee must be submitted for each class for which an appeal is taken. If an appeal is taken for fewer than the total number of classes in the application, the classes in which the appeal is taken should be specified.

(2) The notice of appeal may be signed by the applicant or by the applicant's attorney or other authorized representative. If an applicant signing for itself is a partnership, the signature must be made by a partner; if an applicant signing for itself is a corporation or similar juristic entity, the signature must be made by an officer of the corporation or other juristic entity who has authority to sign for the entity and whose title is given.

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(3) State the capacity in which the signing individual signs, e.g., attorney for applicant, applicant (if applicant is an individual), partner of applicant (if applicant is a partnership), officer of applicant identified by title (if applicant is a corporation), etc.

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Format 2 Suggested Format for Notice of Opposition

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of trademark application Serial No.....
Filed.....
For the mark.....
Published in the Official Gazette on.....
(Date)

.....
(Name of opposer)
v.

.....
(Name of applicant)

Opposition No.
(To be inserted by Patent & Trademark Office)

NOTICE OF OPPOSITION

(State opposer's name, address, and entity information)(1)

.....
(Name of individual as opposer, and business trade name, if any)

.....
(Business address)

OR.....
(Name of partnership as opposer)

.....
(Names of partners)

.....
(Business address of partnership)

OR.....
(Name of corporation as opposer)

.....
(State or country of incorporation)

.....
(Business address of corporation)

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The above-identified opposer believes that it/he/she will be damaged by registration of the mark shown in the above-identified application, and hereby opposes the same.(2)

The grounds for opposition are as follows:(3)

By.....

(Signature)(4)

.....

(Identification of person signing)(5)

FOOTNOTES

(1) If opposer is an individual, state the opposer's name, business trade name, if any, and business address. If opposer is a partnership, state the name of the partnership, the names of the partners, and the business address of the partnership. If opposer is a corporation, state the name of the corporation, the state (or country, if opposer is a foreign corporation) of incorporation, and the business address of the corporation. If opposer is an association or other similar type of juristic entity, state the information required for a corporation, changing the term "corporation" throughout to an appropriate designation.

(2) The required fee must be submitted for each party joined as opposer for each class opposed, and if fewer than the total number of classes in the application are opposed, the classes opposed should be specified.

(3) Set forth a short and plain statement here showing why the opposer believes it/he/she would be damaged by the registration of the opposed mark, and state the grounds for opposing.

(4) The opposition need not be verified, and may be signed by the opposer or by the opposer's attorney or other authorized representative. If an opposer signing for itself is a partnership, the signature must be made by a partner; if an opposer signing for itself is a corporation or similar juristic entity, the signature must be made by an officer of the corporation or other juristic entity who has authority to sign for the entity and whose title is given.

(5) State the capacity in which the signing individual signs, e.g., attorney for opposer, opposer (if opposer is an individual), partner of opposer (if opposer is a partnership), officer of opposer identified by title (if opposer is a corporation), etc.

REPRESENTATION INFORMATION

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If the opposer is not domiciled in the United States, and is not represented by an attorney or other authorized representative located in the United States, a domestic representative must be designated.

If the opposer wishes to furnish a power of attorney, it may do so, but an attorney at law is not required to furnish a power.

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Format 3 Suggested Format for Petition to Cancel

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of trademark Registration No.....
For the mark.....
Date registered.....

.....
(Name of petitioner)

v.

.....
(Name of registrant)

Cancellation No.
(To be inserted by Patent & Trademark Office)

PETITION TO CANCEL (State petitioner's name, address, and entity information)(1)

.....
(Name of individual as petitioner, and business trade name, if any)

.....
(Business address)

OR.....
(Name of partnership as petitioner)

.....
(Names of partners)

.....
(Business address of partnership)

OR.....
(Name of corporation as petitioner)

.....
(State or country of incorporation)

.....
(Business address of corporation)

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To the best of petitioner's knowledge, the name and address of the current owner of the registration are.....

The above-identified petitioner believes that it/he/she will be damaged by the above-identified registration, and hereby petitions to cancel the same.(2)

The grounds for cancellation are as follows:(3)

By.....

(Signature)(4)

.....
(Identification of person signing)(5)

FOOTNOTES

(1) If petitioner is an individual, state the petitioner's name, business trade name, if any, and business address. If petitioner is a partnership, state the name of the partnership, the names of the partners, and the business address of the partnership. If petitioner is a corporation, state the name of the corporation, the state (or country, if petitioner is a foreign corporation) of incorporation, and the business address of the corporation. If petitioner is an association or other similar type of juristic entity, state the information required for a corporation, changing the term "corporation" throughout to an appropriate designation.

(2) The required fee must be submitted for each party joined as petitioner for each class sought to be cancelled, and if cancellation is sought for fewer than the total number of classes in the registration, the classes sought to be cancelled should be specified.

(3) Set forth a short and plain statement here showing why the petitioner believes it/he/she would be damaged by the registration, and state the grounds for cancellation.

(4) The petition need not be verified, and may be signed by the petitioner or by the petitioner's attorney or other authorized representative. If a petitioner signing for itself is a partnership, the signature must be made by a partner; if a petitioner signing for itself is a corporation or similar juristic entity, the signature must be made by an officer of the corporation or other juristic entity who has authority to sign for the entity and whose title is given.

(5) State the capacity in which the signing individual signs, e.g., attorney for petitioner, petitioner (if petitioner is an individual), partner of petitioner (if petitioner is a partnership), officer of petitioner identified by title (if petitioner is a corporation), etc.

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REPRESENTATION INFORMATION

If the petitioner is not domiciled in the United States, and is not represented by an attorney or other authorized representative located in the United States, a domestic representative must be designated.

If the petitioner wishes to furnish a power of attorney, it may do so, but an attorney at law is not required to furnish a power.

APPENDIX

Format 4 Suggested Format for Certificate of Mailing by First-Class Mail Under 37 CFR §1.8

Certificate of Mailing

I hereby certify that this correspondence
is being deposited with the United States
Postal Service with sufficient postage as
first-class mail in an envelope addressed to:

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

on _____	_____
Date	Signature
	_____ Typed or printed name of person signing certificate .

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Format 5 Suggested Format for Certificate of Transmission Under 37 CFR §1.8

Certificate of Transmission

I hereby certify that this correspondence is
being facsimile transmitted to the Patent and
Trademark Office on _____

Date

Signature

Typed or printed name
of person signing
certificate .

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Format 6 Suggested Format for Certificate of Mailing by "Express Mail" Under 37 CFR §1.10

Certificate of Mailing by "Express Mail"

"Express Mail" mailing label number _____

I hereby certify that this correspondence is being
deposited with the United States Postal Service "Express
Mail Post Office to Addressee" service in an envelope
addressed to the Assistant Commissioner for Trademarks,
2900 Crystal Drive, Arlington, Virginia 22202-3513,
on _____.

Date

Signature of person mailing correspondence

Typed or printed name of person mailing
correspondence

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Format 7 Suggested Format for Designation of Domestic Representative

Designation of Domestic Representative

(Name of domestic representative), whose postal
address is _____

_____,
is hereby designated (Name of designating party)'s
representative upon whom notice or process in this
proceeding may be served.

(Signature of designating party)

(Identification of person signing)

(Date of signature)