United States Patent and Trademark Office (USPTO)

ESTTA User’s Guide

Your guide to using Electronic System for Trademark Trials and Appeals (ESTTA)
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1 Introduction

This guide provides information about the Electronic System for Trademark Trials and Appeals (ESTTA). Parties to proceedings before the Trademark Trial and Appeal Board (“TTAB” or “Board”) must use ESTTA to complete filings online and submit them electronically. ESTTA is an online web-based application that is available to parties and the general public, 24 hours a day, 7 days a week, except during system maintenance.

1.1 Getting Help

You can reach the TTAB at 571-272-8500, Monday to Friday from 8:30 a.m. to 5:00 p.m. Eastern Time (ET). For technical assistance with ESTTA filings, you may send email to ESTTA@uspto.gov. We will respond to your email inquiry within 2 business days. In addition to the problem description, please include your telephone number and ESTTA tracking number (if any) in your email, so we can assess the problem and talk to you directly, if necessary.

1.2 Getting Starting

1. To get started, go to USPTO website home page at http://www.uspto.gov, then click “Trademarks”.

Figure 1: USPTO Home Page
2. Under Trademark Trial and Appeal Board (TTAB), click the “ESTTA” link which brings you to the “Welcome to ESTTA” page.

The TTAB is an administrative tribunal with jurisdiction to consider only whether a particular party is entitled to be granted or keep a federal trademark registration within the context of an appeal, opposition, cancellation, or concurrent use proceeding. The TTAB hears two types of proceedings; trials in inter partes matters
(oppositions, cancellations, and concurrent use proceedings), and ex parte appeals from an examining attorney's refusal to register a mark. Inter partes proceedings involve a dispute between two (or more) parties, while appeals involve only an applicant and the USPTO.

The Board is not authorized to determine the right to use, or consider questions of infringement or unfair competition, and may not grant injunctions, award damages, or attorney fees. Any such matters must be brought before a court of competent jurisdiction.

For more information about the TTAB and its jurisdiction, see Trademark Act §§ 17, 20; TBMP § 102. The TTAB provides links to valuable information and resources at its home page at https://www.uspto.gov/trademarks-application-process/trademark-trial-and-appeal-board
Trademark Trial and Appeal Board (TTAB)

News & notices
- TTAB amended rules corrections: A correction to the TTAB's amended rules published in the Federal Register on December 12. The rules affected by the correction are: 2.123(a), 2.124, 2.126(c), and 2.145(d)(1) and (d)(2).
- TTAB Dashboard: Updated quarterly, our dashboard displays current pending cases. Send comments to TTABdashboard@uspto.gov.

Policies & procedures
- Comment on the TTAB policy (PDF)
- TTAB Manual of Procedure "TMRP" (2017) [PDF]
- Fees & payment information
- TTAB phone conferencing
- FAQs

Online systems
- View proceeding status and images (TTAVLE)
- File TTAB documents (ESTTA)
- TTAB Tips: Blank or missing attachments, and consent motion filing options

Alternate resolution options
- Accelerated Case Resolution (ACR) (PDF)
  - Make a suggestion; ACRsuggestions@uspto.gov
- ACR Frequently Asked Questions (FAQs)
- Alternative Dispute Resolution (ADR)

Stakeholder outreach
- Notice of proposed rule making public meeting held on June 24, 2016 -- comments and transcript

Board receipts & issued decisions
- View TTAB's Dashboard for pending measures and inventory of contested motions and final decisions
  - Make a suggestion or comment on TTAB’s dashboard: TTABdashboard@uspto.gov
- View TTAB's new filing statistics and performance measures
- Search and view TTAB's decision summaries and final decision

Standard documents & guidelines
- See ESTTA homepage for online forms and suggested format for Oppositions and Cancellations
- Standard Protective Order - Effective June 24, 2016
- Acknowledgement of Protective Agreement

Rules/laws
- Highlights of TTAB amended rule changes effective Jan. 14, 2017
- Chart summarizing TTAB rule changes effective Jan. 14, 2017
- Miscellaneous changes to TTAB rules of practice, correction; published Dec. 12, 2016
- Final rule for miscellaneous changes to Trademark Trial and Appeal Board rules - effective Jan. 14, 2017
- Proposed miscellaneous changes to TTAB rules of practice; published April 4, 2016
- US Trademark Law: Rules of Practice & Federal Statutes [e-version] [PDF]

Hearing information
- View public attendance and hearing protocol information
- View TTAB hearing schedules
- Get directions to USPTO

Archives
- Alternate resolution options archives
- Rules/laws archives
- Stakeholder outreach archives
- Standard Protective Order archives
- TTAB Manual of Procedure “TMRP” archives

Figure 3: TTAB Home Page
Welcome to ESTTA

All submissions must be filed through ESTTA unless ESTTA is unavailable on the deadline due to technical problems or extraordinary circumstances are present. While many sections of the required forms may appear straightforward and easy to fill out, you are strongly advised to read the instructions for EACH section prior to any data entry. If you fail to follow the instructions, you might fill out sections of the forms incorrectly, thereby jeopardizing your legal rights.

PLAN AHEAD. Because unexpected problems can occur, you should keep filing deadlines in mind and allow plenty of time to resolve any issue which might arise. The Board will provide general assistance to ESTTA filers (see contact information below), but we cannot guarantee that any problem will be resolved prior to a deadline. ESTTA filing is mandatory for all submissions. If prior to a deadline ESTTA is unavailable due to technical problems or extraordinary circumstances are present, submissions may be filed in paper. A Petition to the Director with the required showing and fee must accompany an extension of time to oppose, notice of opposition, petition to cancel or answer submitted in paper. All other paper filings must be accompanied by a written explanation of such technical problems or extraordinary circumstances.

NOTE: Notices of opposition and requests for extension of time to oppose applications filed under Trademark Act § 86(a) (Madrid Protocol) MUST be filed through ESTTA without exception.

Filing Date. Eastern Time controls the filing date. ESTTA filings are time-stamped with the official filing date when the ESTTA filing, including any required fee, is received on the USPTO server. The time the transmission began is not a factor we consider when we assign the filing date. The official filing date and time can be found on the confirmation web screen and in your email confirmation.

Fees. If there is a fee for the filing, you must pay by credit card (MasterCard, Visa, American Express or Discover), Electronic Funds Transfer, or through an existing USPTO deposit account.

Guidelines

• Highlighted terms are linked to relevant instructions or help screens, which will open in a new window.
• You must complete all fields labeled with the symbol; you should complete all other relevant fields if you know the information.
• Do not use your browser’s “back” and “forward” buttons to navigate. Use only the navigation buttons and links on the ESTTA screens.
• After completing all required fields, you will be prompted to validate and sign your submission. The data appearing on this screen will be submitted to the TTAB. If necessary, navigate back to the proper field to correct the information prior to transmitting the form.
• Upon transmission, the form will be assigned an ESTTA tracking number that will be displayed on the next screen.
• Once you submit a request electronically, the office will immediately provide you with an email acknowledgment of receipt. Print or save a copy of this screen for your records. Please contact the Office within 24 hours of transmission (or by the next business day) if you do not receive this acknowledgment.
• Many ESTTA filings will be automatically entered into the docket and appear in TTABVIEW shortly after transmission, although some require manual processing before posting. If your filing does not appear in TTABVIEW after a week, please contact the TTAB for assistance.
• Once you file a paper electronically, you may not withdraw the submission from the file, unless the request fails to satisfy the minimum filing requirements. No fee paid will be refunded unless paid by mistake or in excess of the amount required.
• For users of screen reading technology, please use the arrow keys to navigate all web forms on these web pages. Use of the arrow keys will ensure that all required fields in web forms will be read.

View ESTTA help page and technical requirements
Download ESTTA user manual

Madrid Protocol

Oppositions to extensions of protection under the Madrid Protocol (or requests for extensions of time to oppose) always must be filed electronically using ESTTA. If you are a first-time user, we urge you to plan ahead, and to submit your notice of opposition well prior to the deadline in case you encounter problems. The Board will not extend the time to oppose other than as specifically set out in the Trademark Rules.
PETITIONS TO THE DIRECTOR
DO NOT USE ESTTA to file Petitions to the Director. Petitions to the Director should be filed using the Trademark Online Filing System (TEAS) at http://www.uspto.gov/trademarks-application-process/filing/onlinepetitionforms. For further information see 1MPEP Chapter 1700. If the Petition to the Director is for the purpose of submitting a filing with the TTAB in paper, it may also be mailed with that filing to the Board; be sure to include the appropriate fees.

CONTACT INFORMATION
You can reach the TTAB at 571-272-8500, Monday to Friday from 8:30 a.m. to 5:00 p.m. Eastern Time (ET). For technical assistance with ESTTA filings, you may send an email to ESTTA@uspto.gov. We will respond to your email inquiry within 2 business days. In addition to the problem description, please include your telephone number and ESTTA tracking number (if any) in your email, so we can assess the problem and talk to you directly, if necessary.

Inquiries regarding non-technical matters, including general procedural questions should be directed to the Board Information Specialists at 571-272-8500 or email at TTAinfo@uspto.gov.

NO submissions for any Board proceeding will be accepted via the ESTTA@uspto.gov mail box. All submissions must be filed using the appropriate ESTTA form or by mail.

PRIVACY POLICY STATEMENT
The information collected on these forms allows the TTAB to determine whether a party is entitled to registration of a mark. Responses to the requests for information are required to obtain the requested action. All information collected will be made public. Gathering and providing the information will require an estimated 10 to 45 minutes, depending on the form you choose. Please direct comments on the time needed to complete this form, and/or suggestions for reducing this burden to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. Please note that the TTAB may not conduct or sponsor a collection of information using a form that does not display a valid OMB control number.

Please click here to access all available forms

Figure 4: ESTTA Home Page
2 Welcome to ESTTA

All submissions must be filed through ESTTA unless ESTTA is unavailable on the deadline due to technical problems or extraordinary circumstances are present. While many sections of the required forms may appear straightforward and easy to fill out, you are strongly advised to read the instructions for EACH section prior to any data entry. If you fail to follow the instructions, you might fill out sections of the forms incorrectly, thereby jeopardizing your legal rights.

PLAN AHEAD. Because unexpected problems can occur, you should keep filing deadlines in mind and allow plenty of time to resolve any issue which might arise. The Board will provide general assistance to ESTTA filers (see contact information below), but we cannot guarantee that any problem will be resolved prior to a deadline. ESTTA filing is mandatory for all submissions. If prior to a deadline ESTTA is unavailable due to technical problems or extraordinary circumstances are present, submissions may be filed in paper. A Petition to the Director with the required showing and fee must accompany an extension of time to oppose, notice of opposition, petition to cancel or answer submitted in paper. All other paper filings must be accompanied by a written explanation of such technical problems or extraordinary circumstances.

NOTE: Notices of opposition and requests for extension of time to oppose applications filed under Trademark Act § 66(a) (Madrid Protocol) MUST be filed through ESTTA without exception.

Filing Date. Eastern Time controls the filing date. ESTTA filings are time-stamped with the official filing date when the ESTTA filing, including any required fee, is received on the USPTO server. ESTTA does not utilize the time the transmission began when it assigns the filing date. The filing date will be shown on the top of the confirmation screen and in your email confirmation receipt.

Fees. If there is a fee for the filing, you must pay by credit card (MasterCard, Visa, American Express or Discover), Electronic Funds Transfer, or through an existing USPTO deposit account.

Guidelines
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- After completing all required fields, you will be prompted to validate and sign your submission. The data appearing on this screen will be submitted to the
TTAB. If necessary, navigate back to the proper field to correct the information prior to transmitting the form.

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- For users of screen reading technology, please use the arrow keys to navigate all ESTTA forms on these web pages. Use of the arrow keys will insure that all required fields in these online forms will be read.

View ESTTA help page and technical requirements
Download ESTTA user manual

Important note regarding requests for extension of protection under the Madrid Protocol
Notices of oppositions to requests for extension of protection under the Madrid Protocol (and requests for extension of time to file a notice of opposition to a request for extension of protection under the Madrid Protocol) always must be filed electronically using ESTTA. If you are a first-time user, we urge you to plan ahead, and to submit your notice of opposition well prior to the deadline in case you encounter problems. The Board will not extend the time to oppose other than as specifically set out in the Trademark Rules.

PETITIONS TO THE DIRECTOR
DO NOT USE ESTTA to file Petitions to the Director. Petitions to the Director should be filed using the Trademark Online Filing System (TEAS) at http://www.uspto.gov/trademarks-application-process/filing-online/petition-forms. For further information see TMEP Chapter 1700. If the Petition to the Director is for the purpose of submitting a filing with the TTAB in paper, it may also be mailed with that filing to the Board; be sure to include the appropriate fees.

CONTACT INFORMATION
You can reach the TTAB at 571-272-8500, Monday to Friday from 8:30 a.m. to 5:00 p.m. Eastern Time (ET). For technical assistance with ESTTA filings, you may send an email to ESTTA@uspto.gov. We will respond to your email inquiry within 2 business days. In addition to the problem description, please include your telephone number and ESTTA tracking number (if any) in your email, so we can assess the problem and talk to you directly, if necessary.

Inquiries regarding non-technical matters, including general procedural questions should be directed to the Board Information Specialists at 571-272-8500 or email at TTABinfo@uspto.gov.

NO submissions for any Board proceeding will be accepted via the ESTTA@uspto.gov mail box. All submissions must be filed using the appropriate ESTTA form.

**PRIVACY POLICY STATEMENT**

The information collected on these forms allows the TTAB to determine whether a party is entitled to registration of a mark. Responses to the requests for information are required to obtain the requested action. All information collected will be made public. Gathering and providing the information will require an estimated 10 to 45 minutes, depending on the form you choose. Please direct comments on the time needed to complete this form, and/or suggestions for reducing this burden to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. Please note that the TTAB may not conduct or sponsor a collection of information using a form that does not display a valid OMB control number.
3 ESTTA Forms

Please choose one of the following options to start filing a form:

- **Request for Extension of Time to File an Opposition**
  
  File a request for extension of time to file a notice of opposition, relinquish an extension, or other actions related to extensions of time to oppose.
  
  Enter the serial number of the application to which the filing applies:

  Fees are required for certain requests for extension that can be filed using this form.

- **File a New Proceeding**
  
  Use these options to file a new opposition, cancellation or appeal from a final refusal to register:
  
  Choose your filing and enter the serial number of the application to be opposed, the registration number of the registration to be cancelled, or the serial number of the application to be appealed.

  Type of filing:

  There is a filing fee associated with these forms.

- **File Documents in a Board Proceeding**
  
  Use these options to file documents (motions, briefs, etc.) in an already existing opposition, cancellation, concurrent use, or appeal proceeding. Choose a filing option and enter the opposition number (9xxxxxx), cancellation number (92xxxxxx), concurrent use number (94xxxxxx), or application serial number to which your filing applies.

  Type of filing:

  Most filings do not require a fee.

**Figure 5: List of the Three General Types of ESTTA Forms**

ESTTA will present a list of forms. These forms include:

- Request for Extension of Time to File an Opposition
- File a New Proceeding:
  
  Notice of Opposition
  
  Petition for Cancellation
  
  Appeal of Refusal to Register

- File Documents in a Board Proceeding:
  
  Opposition, Cancellation or Concurrent Use (general filings)
  
  Ex Parte Appeal (general filings)
  
  Consent Motions (opposition or cancellation)
  
  Change of Address
  
  CONFIDENTIAL Opposition, Cancellation or Concurrent Use filings
3.1 Request for Extension of Time to File an Opposition

A person who believes that he, she or it would be damaged by the registration of a mark on the Principal Register may file a notice of opposition within thirty days of the date the mark is published in the Official Gazette. Alternatively, such person may request an extension of time in which to oppose. A request for extension of time must be filed prior to the expiration of the opposition period or prior to the expiration of any previously granted extension.

A person may file a first request for either a thirty-day extension of time, which will be granted upon request, or a ninety-day extension of time, which will be granted only for good cause shown. A $100 fee payment is required for a request for a ninety-day extension of time.

A person who was granted a thirty-day extension of time, may file a request for an additional sixty-day extension of time, which will be granted only for good cause shown. A $100 fee payment is required for this request for a sixty-day extension of time.

After receiving one or two extensions of time totaling ninety days, a person may file one final request for an extension of time for an additional sixty days. A $200 fee payment is required for this request. The Board will grant this request only upon consent of the applicant or upon a showing of extraordinary circumstances.

To begin, enter the serial number of the application to which the filing applies in the text box. Click Start.
ESTTA Forms

- Request for Extension of Time to File an Opposition
  File a request for extension of time to file a notice of opposition, relinquish an extension, or other actions related to extensions of time to oppose.

  Enter the serial number of the application to which the filing applies: [Box]
  Fees are required for certain requests for extension that can be filed using this form.

Figure 6: Form Launch screen
Application Data

3.1.1 First Request for Extension of Time to Oppose

The Application Data screen displays the information relating to the serial number that you entered.

![Application Data Screen](image)

**Figure 7: Application Data screen**

Verify that you have entered the correct serial number by clicking “This is the correct application/registration” to move forward. If the serial number is incorrect, click “Cancel” and enter the correct serial number.
**Extension Request**

The Extension Request Screen requires you to choose from either the 30-day extension of time to oppose or the 90-day extension of time to oppose.

![Extension Request Screen](image)

**Figure 8: Extension Request screen**

Select the appropriate option.

Click “Next”.

**Good Cause for 90-Day Extension**

If you choose the 90-day extension of time to oppose the Cause for Extension Request screen will be displayed, and you will be prompted to specify good cause to file the request.

Click any of the check boxes to best describe the reason for requesting a 90-day extension, or enter a brief statement of good cause in the “other” box.
Figure 9: Cause for Extension Request screen

Click “Next” and the Potential Opposer Information screen will appear.
**Potential Opposer Information**

If you are an attorney, click the checkbox on the Potential Opposer Information screen. This will prompt the Attorney Correspondence Information screen to appear later in the flow.

![Figure 10: Potential Opposer Information screen](image)

If an attorney is filing the request for extension on your behalf or on behalf of a client, click “Check here if opposer/petitioner is represented by an attorney.”

If the option “Switch to non US address” was selected, a pop-up message will be displayed and the “Check here if opposer/petitioner is represented by an attorney” will be automatically selected.
If the option “Check here if opposer/petitioner is represented by an attorney” was chosen on the Potential Opposer Information screen, then the Attorney Correspondence Information screen appears next.

Alternatively, the Potential Opposer’s Correspondence Information screen appears next.

**Potential Opposer’s Correspondence Information**

Email Address – In the “Primary Email Address” field, you may enter one email address. In the “Secondary Email Address” field, you may enter up to 10 email addresses.
Figure 11: Potential Opposer's Correspondence Information screen

After completing the Potential Opposer’s Correspondence Information, click “Next” and the Signature screen will appear.
Signature

The submission must be signed by the filer. The submission will not be “signed” in the sense of a traditional paper document. To sign the submission, the signer must enter any combination of letters, numbers, spaces and/or punctuation marks that the signer has adopted as a signature, placed between two forward slash (“/”) symbols in the signature block on the electronic submission. Acceptable “signatures” could include: /john doe/; /jd/; and /123-4567/. 
Figure 12: Signature screen

Click “Next” and the Validate and Submit screen will appear.
Validate and Submit

Review the information and verify its correctness.

![Validate and Submit Screen](image)

**Figure 13: Validate and Submit screen**

If the filer is requesting a first 90-day extension of time to oppose, then the following payment information will be displayed at the bottom of the Validate and Submit screen.
Figure 14: Payment Information

Click “Submit” and the Receipt screen will appear.
Receipt

Clicking “Submit” on the Validate and Submit Page will complete the filing process, and the “Receipt” screen will appear.

Figure 15: Receipt screen

In addition, you will receive an email verifying that the USPTO has received your extension request. The email will include an ESTTA Tracking Number.
3.1.2 At least one extension of time to oppose has been granted

The Application Data screen appears. This page displays the information relating to the serial number that you entered.

**Application Data**

![Figure 16: Application Data screen]

Select whether you are either the Potential Opposer or the Applicant.
3.1.2.1 Potential Opposer

One of more current extensions of time to oppose will be displayed.

![Figure 17: Application Data screen](image)

Select the relevant extension.

A list of options available to the Potential Opposer are displayed in a drop down list.

![Figure 18: Application Data screen](image)

Select what you would like to do.

A Potential Opposer must choose one of the following options from the drop down list:

- File an Extension of Time to Oppose
- Relinquish an Extension of Time to Oppose
- Respond to a Board inquiry or order
Select the relevant Potential Opposer option and select “Next” to take you to the next screen.

3.1.2.1.1 **File an Extension of Time to Oppose**

**Extension Request**

![Extension Request screen](image)

**Figure 19: Extension Request screen**

Choose from the list of good causes that are displayed.

Click “Next” on the Extension Request screen to proceed to the next screen.
Potential Opposer Information

Figure 20: Potential Opposer Information screen

Review the Potential Opposer Information that is presented on the screen and make any necessary updates.

If the option “Switch to non US address” was chosen, a pop-up message will be displayed and the “Check here if opposer is represented by an attorney” will be automatically selected.

Click “Next” to proceed to the next screen.

If the option “Check here if opposer is represented by an attorney” was selected on the Potential Opposer Information screen, then the Attorney Correspondence Information screen appears next.

Alternatively, the Potential Opposer’s Correspondence Information screen appears next.
Potential Opposer’s Correspondence Information

![Potential Opposer’s Correspondence Information](image)

**Figure 21: Potential Opposer's Correspondence Information screen**

Review the Potential Opposer Correspondence Information that is presented on the screen and make any necessary updates.

Click “Next” on the Potential Opposer’s Correspondence Information screen to proceed to the next screen.
Electronic System for Trademark Trials and Appeals

Signature

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.

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

<table>
<thead>
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<td>JOHN DOE</td>
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<tr>
<td>100 MAIN STREET, CALAIS, ME 04694</td>
</tr>
<tr>
<td>UNITED STATES</td>
</tr>
<tr>
<td>Primary Email: <a href="mailto:test1@uspto.gov">test1@uspto.gov</a></td>
</tr>
<tr>
<td>No phone number provided.</td>
</tr>
</tbody>
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60 Day Request for Extension of Time to Oppose for Good Cause

Pursuant to 37 C.F.R. Section 2.102, John Doe, 1234 MAIN STREET, CALAIS, ME 04694, UNITED STATES respectfully requests that he/she/it be granted an additional 60-day extension of time to file a notice of opposition against the above-identified mark for cause shown.

Potential opposer believes that good cause is established for this request by:
- The potential opposer needs additional time to investigate the claim.

The time within which to file a notice of opposition is set to expire on 05/23/2020. John Doe respectfully requests that the time period within which to file an opposition be extended until 07/22/2020.

Correct any errors in Potential Opposer’s correspondence information using the ESTTA Change of Address form. You must restart this form to use the corrected information.

Filer Information
Fill in the information below. You will receive an email confirmation of your filing within 24 hours.

<table>
<thead>
<tr>
<th>Filer's Signature</th>
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<table>
<thead>
<tr>
<th>Filer's Name</th>
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<tr>
<th>Filer's Email Address</th>
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<tbody>
<tr>
<td>Note: Multiple email addresses may be provided separated by comma and space</td>
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<td>04/13/2020</td>
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</tbody>
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Next  Back  Cancel  Save Session
Figure 22: Signature screen

Click “Next” on the Signature screen to proceed to the next screen.

Validate and Submit
Click “Go to Payment screen” on the Validate and Submit screen to proceed to the next screen.
Receipt

Figure 24: Receipt screen
3.1.2.1.2 Relinquish an Extension of Time to Oppose

Relinquish an Extension of Time to Oppose

Only the potential opposer to whom the Board granted this extension may file this relinquishment.

Once an extension is relinquished, it cannot be reinstated.

![Figure 25: Relinquish an Extension of Time to Oppose screen](image)

If you want to attach a document in support of this relinquishment of extension of time, please check the box.

Click “Next” on the Relinquish an Extension of Time to Oppose screen to proceed to the next screen.

Attachments

Attach required legal documents, which should be .pdf, .tiff or .txt format.
Click “Browse” to search for the file. When located, click “Attach File” to attach the document. After you attach a document, you can remove the document by clicking “Remove”.

**Signature**

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.
Electronic System for Trademark Trials and Appeals

Relinquish an Extension of Time to Oppose

Signature

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.

<table>
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<tr>
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<tr>
<td>Date of Publication</td>
<td>03/24/2020</td>
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</tr>
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<td>Extension Granted Until</td>
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<td>Attachments</td>
<td>Test File.txt (26 bytes)</td>
</tr>
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</table>

<table>
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<th>OPP A</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>100 MAIN STREET</td>
</tr>
<tr>
<td></td>
<td>BANGOR, ME 04694</td>
</tr>
<tr>
<td></td>
<td>UNITED STATES</td>
</tr>
<tr>
<td></td>
<td>Primary Email:</td>
</tr>
<tr>
<td></td>
<td>Secondary Email(s):</td>
</tr>
<tr>
<td></td>
<td>No phone number provided.</td>
</tr>
</tbody>
</table>

Relinquishment of Extension of Time to Oppose

OPP A, having been granted an extension of time until 07/22/2020 to oppose the above application, relinquishes the time remaining in the extension.

The undersigned represents that he or she is OPP A or has the authority to relinquish this extension of time to oppose on behalf of OPP A, and understands that this relinquishment cannot be withdrawn after it is submitted.

Correct any errors in Potential Opposer’s correspondence information using the ESTTA Change of Address form. You must restart this form to use the corrected information.

Filer Information

Fill in the information below. You will receive an email confirmation of your filing within 24 hours.

<table>
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<tr>
<th>Filer's Signature</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Filer's Name</td>
<td></td>
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<tr>
<td>Filer's Email Address</td>
<td></td>
</tr>
</tbody>
</table>

Date: 04/17/2020

Next  Back  Cancel  Save Session
Figure 27: Signature screen

Click “Next” on the Signature screen to take you to the Validate and Submit screen.

Validate and Submit

Review all of the information on this screen. If the information is correct, click “Submit” to submit your filing. If you need to edit any information, go back to the proper screen using the navigation buttons on this web page and make your corrections. Do not use the back button on your browser.
Electronic System for Trademark Trials and Appeals

Validate and Submit

Review the information below. If the information is correct, click on the “Submit” button to submit your filing. If you need to edit any information, go back to the proper screen using the navigation buttons on this web page and make your corrections.

Do not use the back button on your browser.

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

<table>
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<tr>
<th>Applicants</th>
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<td>OPP A 100 MAIN STREET BANGOR, ME 04694 UNITED STATES Primary Email: Secondary Email(s): No phone number provided.</td>
</tr>
</tbody>
</table>

Reelinquishment of Extension of Time to Oppose

OPP A, having been granted an extension of time until 07/22/2020 to oppose the above application, relinquishes the time remaining in the extension.

The undersigned represents that he or she is OPP A or has the authority to relinquish this extension of time to oppose on behalf of OPP A, and understands that this relinquishment cannot be withdrawn after it is submitted.

Respectfully submitted,
/OA/
OPP A
test1@uspto.gov
04/17/2020
Figure 28: Validate and Submit screen

Click “Submit” on the Validate and Submit screen to take you to the Receipt screen.
Receipt

**Figure 29: Receipt screen**
3.1.2.1.3 Respond to a Board inquiry or order

**Respond to a Board Inquiry or Order**

Only use this option to file a response to an order or inquiry from the Board. This form cannot be used to request an extension of time to oppose. Attach your response on the next screen.

![Figure 30: Respond to a Board Inquiry or Order screen](image)

Click “Next” on the Response to a Board Inquiry or Order screen to take you to the Attachments screen.

**Attachment**

Attach required legal documents, which should be .pdf, .tiff or .txt format.

Click “Browse” to search for the file. When located, click “Attach File” to attach the document. You can remove the file by clicking “Remove.”
Signature

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.
Figure 32: Signature screen
Click “Next” on the Signature screen to take you to the Validate and Submit screen.

**Validate and Submit**

Review all of the information on this screen. If the information is correct, click “Submit” to submit your filing. If you need to edit any information, go back to the proper screen using the navigation buttons on this web page and make your corrections. Do not use the back button on your browser.

![Validate and Submit screen](image-url)
Figure 33: Validate and Submit screen

Click “Submit” on the Validate and Submit screen to take you to the Receipt screen.

Receipt

![Receipt Screen](image)

Figure 34: Receipt screen
3.1.2.2 Applicant

One of more current extensions of time to oppose will be displayed.

Figure 35: Application Data screen

Select the relevant extension.

A list of options available to the Applicant are displayed in a drop down list.

Figure 36: Application Data screen

An Applicant must choose one of the following options from the drop down list:

- File an objection to further extensions of time to oppose
- File a request to reconsider an extension of time to oppose
- Respond to a Board inquiry or order

Select the relevant Applicant option and select “Next” to take you to the next screen.
3.1.2.2.1 File an objection to further extensions of time to oppose

**Objection to Further Extensions of Time to Oppose**

Use this option only to file an objection to further extensions of time to oppose.

On the next screen, attach a statement that fully sets forth the grounds for your objection, and any supporting authority.

Your objection will be considered by the Board in determining any subsequent request for an extension of time to oppose, but it is not a guarantee that no further extensions will be granted.

![Figure 37: Objection to Further Extensions of Time to Oppose screen](image)

Click “Next” on the Objection to Further Extensions of Time to Oppose screen to take you to the Attachments screen.

**Attachments**

Attach required legal documents, which should be .pdf, .tiff or .txt format.

Click “Browse” to search for the file. When located, click “Attach File” to attach the document. You can remove the file by clicking “Remove”.

55
Signature

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.
Electronic System for Trademark Trials and Appeals

Signature

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.

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

Applicant
Anaz

Application Serial Number

Application Filing Date 10/15/2015

Mark

Date of Publication 03/24/2020

Extension Granted to OPP A

Extension Granted Until 07/22/2020

Attachments Test File.txt(26 bytes)

Applicant's Correspondence Information JOSHUA S.

BOSTON, MA 02210-2690
UNITED STATES
Primary Email:

Objection to the Grant of Further Extensions of Time to Oppose

Applicant, Anaz, objects to the further grant of extensions of time to oppose OPP A. The reasons for Applicant's objection are fully set out in the attached statement of objections.

The undersigned represents that this submission is being made by Applicant or someone authorized to represent Applicant before the United States Patent and Trademark Office, and with Applicant's consent to submit this filing.

Correct any errors in Applicant's correspondence information using the appropriate form in TEAS. There may be a delay in posting any corrections made in TEAS. You must restart this form to use the corrected information.

Filer Information

Fill in the information below. You will receive an email confirmation of your filing within 24 hours.

Filer's Signature

Filer's Name

Filer's Email Address Note: Multiple email addresses may be provided separated by commas and spaces

Date 04/17/2020

Next Back Cancel Save Session
Figure 39: Signature screen

Click “Next” on the Signature screen to take you to the Validate and Submit screen.

Validate and Submit

Review all of the information on this screen. If the information is correct, click “Submit” to submit your filing. If you need to edit any information, go back to the proper screen using the navigation buttons on this web page and make your corrections. Do not use the back button on your browser.
Figure 40: Validate and Submit screen

Click “Submit” on the Validate and Submit screen to take you to the Receipt screen.
Receipt

Figure 41: Receipt screen

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<th>Receipt</th>
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<td>Your submission has been received by the USPTO. The content of your submission is listed below. You may print a copy of this receipt for your records.</td>
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Objection to the Grant of Further Extensions of Time to Oppose

Applicant, Amaz, objects to the further grant of extensions of time to oppose to OPP A. The reasons for Applicant's objection are fully set out in the attached statement of objections. The undersigned represents that this submission is being made by Applicant or someone authorized to represent Applicant before the United States Patent and Trademark Office, and with Applicant's consent to submit this filing.

Respectfully submitted,

/John Doe/ 

test1@uspto.gov 

04/17/2020

Return to ESTTA home page  Start another ESTTA filing
3.1.2.2.2 File a request to reconsider an extension of time to oppose

**Request to Reconsider an Extension of Time to Oppose**

Only use this option to request reconsideration of an extension of time to oppose which was previously granted.

On the next screen, attach your request for reconsideration, fully setting out the grounds for reconsideration.

![Request to Reconsider an Extension of Time to Oppose screen](image)

**Figure 42: Request to Reconsider an Extension of Time to Oppose screen**

Click “Next” on the Request to Reconsider an Extension of Time to Oppose screen to take you to the Attachments screen.

**Attachments**

Attach required legal documents, which should be .pdf, .tiff or .txt format.

Click “Browse” to search for the file. When located, click “Attach File” to attach the document. You can remove the file by clicking “Remove.”
**Signature**

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.
Electronic System for Trademark Trials and Appeals

Signature

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.

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

Applicants
Amaz

Application Serial Number

Application Filing Date 10/15/2015

Mark

Date of Publication 03/24/2020

Extension Granted to OPPA

Extension Granted Until 07/22/2020

Attachments Test File.txt (24 bytes)

 Applicant's Correspondence Information

JOSHUA S.

BOSTON, MA 02210-2600
UNITED STATES
Primary Email:

Request for Reconsideration of Extension of Time to Oppose

Applicant, Amaz, requests reconsideration of the extension of time to oppose granted to OPPA on. The grounds for Applicant's request for reconsideration are fully set out in the attached statement.

The undersigned represents that this submission is being made by Applicant or someone authorized to represent Applicant before the United States Patent and Trademark Office, and with Applicant's consent.

Correct any errors in Applicant's correspondence information using the appropriate form in TEAS. There may be a delay in posting any corrections made in TEAS. You must restart this form to use the corrected information.

Filer Information
Fill in the information below. You will receive an email confirmation of your filing within 24 hours.

Filer's Signature*

Filer's Name*

Filer's Email Address* Note: Multiple email addresses may be provided separated by comma and space

Date 04/17/2020

Next Back Cancel Save Session
Click “Next” on the Signature screen to take you to the Validate and Submit screen.

**Validate and Submit**

Review all of the information on this screen. If the information is correct, click “Submit” to submit your filing. If you need to edit any information, go back to the proper screen using the navigation buttons on this web page and make your corrections. Do not use the back button on your browser.
Click “Submit” on the Validate and Submit screen to take you to the Receipt screen.
Receipt

Figure 46: Receipt screen
3.1.2.2.3 Respond to a Board inquiry or order

**Respond to a Board Inquiry or Order**

Only use this option to file a response to an order or inquiry of the Board.

![Figure 47: Respond to a Board Inquiry or Order screen](image)

Click “Next” on the Respond to a Board Inquiry or Order screen to take you to the Attachments screen.

**Attachments**

Attach required legal documents, which should be .pdf, .tiff or .txt format.

Click “Browse” to search for the file. When located, click “Attach File” to attach the document. You can remove the file by clicking “Remove.”
Signature

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.
Figure 49: Signature screen
Click “Next” on the Signature screen to take you to the Validate and Submit screen.

**Validate and Submit**

Review all of the information on this screen. If the information is correct, click “Submit” to submit your filing. If you need to edit any information, go back to the proper screen using the navigation buttons on this web page and make your corrections. Do not use the back button on your browser.
Figure 50: Validate and Submit screen

Click “Submit” on the Validate and Submit screen to take you to the Receipt screen.

Receipt
Figure 51: Receipt screen
3.2 File a New Proceeding

Use these options to file a new notice of opposition or a new petition to cancel, or to file an appeal of a final refusal to register. Choose your filing and enter the serial number of the application to be opposed, the registration number of the registration to be cancelled, or the serial number of the application to be appealed.

3.2.1 Notice of Opposition to Registration

Prior to registration on the principal register, all pending trademarks are published in the Official Gazette. Any person who believes that he, she or it would be damaged by the registration may file a notice of opposition within thirty days of the date of publication, or within an extension of such period. A fee of $400 per opposer per class opposed is required.

To begin, enter the serial number of the application to be opposed. Click “Start.”. The Application Data screen will appear.

ESTTA Forms

- **File a New Proceeding**
  Use these options to file a new opposition, cancellation or appeal from a final refusal to register. Choose your filing and enter the serial number of the application to be opposed, the registration number of the registration to be cancelled, or the serial number of the application to be appealed.

  Type of filing: [Notice of Opposition] ✔ [ ] [ ] [Start]

  There is a filing fee associated with these forms.

  **Figure 52: Form Launch screen**

Application Data

This page displays the information relating to the serial number that you entered. Verify whether you have entered the correct serial number by clicking “This is the correct application/registration” to move forward. If incorrect, click “Cancel” and enter the correct serial number.
After clicking “This is the correct application/registration,” the Goods and Services Opposed screen will appear.
Good and Services Opposed

Choose from the list of Goods and Services on this screen to indicate which goods and services you are opposing. You may elect to oppose registration for all or none of the goods in each class, or to oppose registration with respect to certain goods within a class.

![Goods and Services Opposed screen](image)

Figure 54: Goods and Services Opposed screen

Click “Next” to proceed to the Opposer Information screen, or click “Reset” to re-specify your choice.
Opposer Information

Complete the Opposer Information screen. You can file on your own behalf (as an individual or business) or have an attorney represent you. Click “Check here if opposer/petitioner is represented by an attorney,” if appropriate.

If the option “Switch to non US address” was chosen, a pop-up message will be displayed and the “Check here if opposer/petitioner is represented by an attorney” will be automatically selected.

Figure 55: Opposer Information screen

Click “Next” and the Add/Modify Information screen will appear.
Add/Modify Information

On this screen you can add additional applications or opposers and/or modify submitted information.

To add an application, type in the serial number of the additional mark and click “Add Property.” Repeat the previous steps.

To add an opposer, click “Add Opposer” which prompts the Opposer Information screen (show on page 74) for you to fill in the next Opposer information.

You can also remove or edit an existing property or Opposer by clicking on the appropriate buttons.

Figure 56: Add/Modify Information screen

Click “Next” and the Related Proceedings screen will appear.
Related Proceedings

If the parties are involved in proceedings involving the same or similar marks, identify those proceedings below.

Click “Next”.

If the option “Check here if opposer/petitioner is represented by an attorney” was previously selected on the Opposer Information screen, then the Attorney Correspondence Information screen appears next.

Alternatively, the Opposer’s Correspondence Information screen appears next.

If the Attorney/Correspondence Information screen appears (as shown on page 103), enter the Attorney Correspondence Information and click “Next.”
Opposer Correspondence Information

If the Opposer’s Correspondence Information appears, enter the Opposer’s Correspondence Information and click “Next.”

Figure 58: Opposer's Correspondence Information screen

Click “Next.”
Grounds for Opposition

Select as many grounds for opposition as are applicable. If a particular ground is not listed, check the “Other” box and fill in the ground in the text box provided.
Click “Next” and the Opposer’s Pleaded Mark(s) screen will appear.
Opposer’s Pleased Mark(s)

If you are alleging prior use of a mark which is the subject of a U.S. registration or application, you may enter that information and click “Add.”

If the asserted mark is not the subject of a U.S. Registration or pending application, select the appropriate option, enter the required information, and click “Add.”
Figure 60: Opposer's Plead Mark(s) screen
Click “Next Screen” to go to the signature screen.
**Signature**

The submission must be signed by the filer. The submission will not be “signed” in the sense of a traditional paper document. To sign the submission, the signer must enter any combination of letters, numbers, spaces and/or punctuation marks that the signer has adopted as a signature, placed between two forward slash (“/”) symbols in the signature block on the electronic submission. Acceptable “signatures” could include: /john doe/; /jd/; and /123-4567/. 
Notice of Opposition

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

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

<table>
<thead>
<tr>
<th>Name</th>
<th>John Doe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entity</td>
<td>Individual</td>
</tr>
<tr>
<td>Citizenship</td>
<td>UNITED STATES</td>
</tr>
</tbody>
</table>
| Address   | 100 MAIN STREET
            CALAIS, ME 04619
            UNITED STATES |
| Correspondence Information |
| JOHN DOE | 100 MAIN STREET
            CALAIS, ME 04619
            UNITED STATES |
| Email     | test1@uspto.gov |
| Note      | No phone number provided |

Applicant Information

<table>
<thead>
<tr>
<th>Application No.</th>
<th>Publication date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not assigned yet</td>
<td>03/24/2020</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Opposition Filing Date</th>
<th>Opposition Period Ends</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not assigned yet</td>
<td>04/23/2020</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>International Registration No.</th>
<th>International Registration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>NONE</td>
<td>NONE</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicant</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Aloré</td>
<td>.</td>
</tr>
</tbody>
</table>
After you sign, click “Next” to go to the “Validate” screen, which will display the total fee for the filing.

Validate
Validate

Review the information below and click on the "to proceed with payment" button if the information is correct. If you need to edit any information, go back to proper screen using navigation facilities on this web page and make your correction(s). DO NOT USE THE BACK BUTTON ON YOUR BROWSER.

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

<table>
<thead>
<tr>
<th>Name</th>
<th>John Doe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entity</td>
<td>Individual</td>
</tr>
<tr>
<td>Address</td>
<td>100 MAIN STREET CALAIS, ME 04619 UNITED STATES</td>
</tr>
<tr>
<td>Correspondence Information</td>
<td>JOHN DOE 100 MAIN STREET CALAIS, ME 04619 UNITED STATES Primary Email: <a href="mailto:test1@uspto.gov">test1@uspto.gov</a> No phone number provided.</td>
</tr>
</tbody>
</table>

Applicant Information

| Application No. | 87378007 | Publication date | 03/24/2020 |
| Opposition Filing Date | Not assigned yet | Opposition Period Ends | 04/23/2020 |
| International Registration No. | NONE | International Registration Date | NONE |
| Applicant | Alocé Design Inc. 75 AVENUE LINDSAY DORVAL, QUEBEC, H9P2S6 CANADA |
Click “Go to Payment Screen” to move forward with the payment as shown below.
Payment

Figure 64: Make Payment Launch screen

Select the appropriate option to launch the payment screen.

The following screen shows the “Pay as a guest” option.
## Receipt

**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information
- **Name**: John Doe
- **Entity**: Individual
- **Address**: 200 Main Street, Calais, ME 04619, UNITED STATES

### Correspondence Information
- **Name**: John Doe
- **Address**: 200 Main Street, Calais, ME 04619, UNITED STATES
- **Primary Email**: jdoe@uspto.gov
- **No phone number provided.**

### Applicant Information
- **Application No.**: 123456789
- **Publication Date**: 03/14/2020
- **Opposition Filing Date**: 04/14/2020
- **Opposition Period Ends**: 04/23/2020
- **International Registration No.**: NONE
- **International Registration Date**: NONE
- **Applicant**: Aloe

### Goods/Services Affected by Opposition
- **Class 001**: First Use: 2018/01/01 First Use in Commerce: 2019/01/01
  - All goods and services in the class are opposed, namely: Plumbing fixtures, namely, faucets, showerheads, shower sprayers, sink prayers, sink traps, tub control valves, shower mixers, sinks, toilets, bath tub and accessories, namely, tub surrounds, tub overflow, and jet tub jets

### Grounds for Opposition
- **Priority and likelihood of confusion**: 
- **Trademark Act Section 2(e)**
- **Mark Cited by Opposer as Basis for Opposition**: 

### U.S. Application No.
- **Registration Date**: NONE
- **Foreign Priority Date**: NONE
- **Word Mark**: Aloe
- **Design Mark**: NONE
- **Description of Mark**: NONE

### Goods/Services
- **Class 015**: First Use: 0 First Use in Commerce: 0
  - print reviews, comments, and recommendations in the fields of art, cultural events, the performing arts, theater, film, literature, and education
- **Class 041**: First Use: 0 First Use in Commerce: 0
  - Entertainment services, namely, providing online reviews, comments, and recommendations in the fields of art, cultural events, the performing arts, theater, film, literature, and education

### Attachments

**Signature**

- **Name**: John Doe
- **Date**: 04/14/2020

---

**Return to ESTTA home page**  Start another ESTTA filing
3.2.2 Petition for Cancelation

A petition for cancellation of a trademark registration may be filed at any time. However, if you are not filing the petition “within five years from the date of the registration of the mark,” the mark may only be cancelled on the grounds enumerated in Trademark Act § 14. See Trademark Act § 14.

The ESTTA form provides only the available grounds for cancellation.

ESTTA allows you to file a petition to cancel one or more registered trademarks. There is a fee for filing a Petition for Cancellation.

To begin, enter the serial number of the first registration to be cancelled.

ESTTA Forms

- **File a New Proceeding**
  
  Use these options to file a new opposition, cancellation or appeal from a final refusal to register. Choose your filing and enter the serial number of the application to be opposed, the registration number of the registration to be cancelled, or the serial number of the application to be appealed.

<table>
<thead>
<tr>
<th>Type of filing:</th>
<th>Petition for Cancellation</th>
</tr>
</thead>
</table>

  There is a filing fee associated with these forms.

**Figure 66: Form Launch screen**

Click “Start” and the Registration screen appears.

**Registration**

This page displays the information relating to the registration number that you entered.

Verify that the information correctly identifies the registration.

If correct, click “This is the correct registration” to move forward. If not, click “Cancel” and enter the correct registration number.
If you select the checkbox “Check here if you are aware of a name, address or email address that differs from what is shown,” then the following screen is displayed.
**Additional Registrant Information Provided by Petitioner**

Enter the additional name, address and email address for the owner of the registration. You can enter an additional registrant by clicking “Check here to enter additional name, address, or email on a new screen”.

![Additional Registrant Information Provided by Petitioner](image)

**Figure 68: Additional Registrant Information Provided by Petitioner screen**

After clicking “This is the correct registration,” the Grounds for Cancellation screen will appear.

**Grounds for Cancellation**

The petitioner must choose at least one ground for cancellation. If the registration was issued more than 5 years ago, the list of Grounds for Cancellation will be restricted to those grounds that may still be alleged.

Select as many grounds for cancellation as are applicable.
## Grounds for Cancellation

Please check as many grounds for cancellation as are applicable. If a particular ground is not listed, check the “Other” box and fill in the ground in the text box provided.

<table>
<thead>
<tr>
<th>The grounds for cancellation are as follows:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Priority and likelihood of confusion</td>
<td>Trademark Act Sections 14(1) and 2(d)</td>
</tr>
<tr>
<td>The mark is merely descriptive</td>
<td>Trademark Act Sections 14(1) and 2(d)(1)</td>
</tr>
<tr>
<td>The mark or its use has become generic</td>
<td>Trademark Act Section 14(3), or Section 23 if on Supplemental Register</td>
</tr>
<tr>
<td>The mark is deceptively misdescriptive</td>
<td>Trademark Act Sections 14(1) and 2(d)(1)</td>
</tr>
<tr>
<td>The mark is primarily geographically descriptive</td>
<td>Trademark Act Sections 14(1) and 2(d)(2)</td>
</tr>
<tr>
<td>The mark is primarily geographically deceptively misdescriptive</td>
<td>Trademark Act Sections 14(1) and 2(d)(3)</td>
</tr>
<tr>
<td>The mark is primarily a surname</td>
<td>Trademark Act Sections 14(1) and 2(d)(4)</td>
</tr>
<tr>
<td>The mark comprises matter that, as a whole, is functional</td>
<td>Trademark Act Sections 14(1) and 2(d)(5), or Section 23 if on Supplemental Register</td>
</tr>
<tr>
<td>No use of mark in commerce before application or amendment to allege use, or statement of use was filed</td>
<td>Trademark Act Sections 14(1) and 1(a), (c), (d)</td>
</tr>
<tr>
<td>Abandonment</td>
<td>Trademark Act Section 14(3)</td>
</tr>
<tr>
<td>Failure to function as a mark</td>
<td>Trademark Act Sections 14(1) and 1.2 and 45</td>
</tr>
<tr>
<td>The mark is not inherently distinctive and has not acquired distinctiveness</td>
<td>Trademark Act Sections 14(1) and 1.2 and 45, and Section 2(d)</td>
</tr>
<tr>
<td>Dilution by blurring</td>
<td>Trademark Act Sections 14(1) and 43(c)</td>
</tr>
<tr>
<td>Dilution by tarnishment</td>
<td>Trademark Act Sections 14(1) and 43(c)</td>
</tr>
<tr>
<td>Registrant not rightful owner of mark for identified goods or services</td>
<td>Trademark Act Sections 14(1) and 1</td>
</tr>
<tr>
<td>False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols, or bring them into contempt, or disrepute</td>
<td>Trademark Act Sections 14(3) and 2(a)</td>
</tr>
<tr>
<td>Deceptiveness</td>
<td>Trademark Act Sections 14(3) and 2(a)</td>
</tr>
<tr>
<td>Immoral or scandalous matter</td>
<td>Trademark Act Sections 14(3) and 2(a)</td>
</tr>
<tr>
<td>Disparaging</td>
<td>Trademark Act Sections 14(3) and 2(a)</td>
</tr>
<tr>
<td>Geographic indication which, if used on or in connection with wine or spirits, identifies a place other than the origin of the goods</td>
<td>Trademark Act Sections 14(3) and 2(a)</td>
</tr>
<tr>
<td>The registration is being used by, or with the permission of, the registrant so as to misrepresent the source of the goods or services or on or in connection with which the mark is used</td>
<td>Trademark Act Section 14(3)</td>
</tr>
<tr>
<td>Consists of or comprises the flag or coat of arms of the United States, or of any State or municipality, or of any foreign nation, or any simulation thereof</td>
<td>Trademark Act Sections 14(3) and 2(b)</td>
</tr>
<tr>
<td>Consists of or comprises a name, portrait, or signature of a living individual without written consent, or the name, portrait, or signature of a deceased president without the written consent of the surviving spouse</td>
<td>Trademark Act Sections 14(1) and 2(c)</td>
</tr>
<tr>
<td>Contested registration barred by claim or issue preclusion</td>
<td>Mayer/Berkshire Corp. v. Berkshire Fashions Inc., 424 F.3d 1229, 78 USPQ2d 1310 (Fed. Cir. 2005)</td>
</tr>
<tr>
<td>Fraud on the USPTO</td>
<td>Trademark Act Section 14(3). In re Bose Corp., 580 F.2d 1240, 197 USPQ 1303 (Fed. Cir. 1979)</td>
</tr>
<tr>
<td>Violates the provisions of Trademark Act § 4</td>
<td>Trademark Act Section 4 (collective and certification marks) and Sections 14(3) and (5)</td>
</tr>
<tr>
<td>Title of single creative work</td>
<td>Trademark Act Sections 1.2 and 45. Mattel Inc. v. Bratz Baby Co., 701 USPQ2d 1140 (TTAB 2013)</td>
</tr>
<tr>
<td>Other (please concisely indicate grounds and statutory or common law basis for cancellation)</td>
<td></td>
</tr>
</tbody>
</table>
Figure 69: Grounds for Cancellation screen

Click “Next” and the Goods and Services screen will appear.
**Goods and Services**

The registration has one or more classes of goods or services. You must select which class(es) are subject to the petition for cancellation.

![Figure 70: Goods and Services screen](image)

Click “Next.”

**Petitioner Information**

If you are an attorney, select the “Check here if opposer/petitioner is represented by an attorney.” This will prompt the Attorney Correspondence screen to appear later in the flow.

If the option “Switch to non US address” was chosen, a pop-up message will be displayed and the “Check here if opposer/petitioner is represented by an attorney” will be automatically selected.
Click “Next” and the Add/Modify Information screen appears.

**Add/Modify Information**

On this screen you can add additional registrations or petitioners and modify submitted information.

To add a registration, type in the registration number of the additional registration. Repeat the previous steps.

To add a Petitioner, click “Add Petitioner” which prompts the Petitioner Information screen for you to fill in the next Petitioner information.
You can also remove or edit an existing Registration or Petitioner by clicking on the appropriate buttons.

![Add/Modify Information screen](image)

**Figure 72: Add/Modify Information screen**

Click “Next” and the Related Proceedings screen appears.
Related Proceedings

If the parties are involved in one or more proceedings involving the same or similar mark, identify those on the Related Proceedings screen.

![Related Proceedings screen](image)

**Figure 73: Related Proceedings screen**

Click “Next”.

If the option “Check here if opposer/petitioner is represented by an attorney” was previously selected on the Petitioner Information screen, then the Attorney Correspondence Information screen appears next.

Alternatively, the Petitioner’s Correspondence Information screen appears next.
Figure 74: Attorney Correspondence Information screen

Click “Next”.

Note: The Board will not send duplicate correspondence to any party.
Petitioner’s Correspondence Information

Figure 75: Petitioner's Correspondence Information screen

Click “Next.”
Petitioner’s Pleadings

You have indicated a ground for cancellation based on your ownership of a trademark. Enter the trademark or trade name upon which you intend to rely in this proceeding. Enter no more than 49.

Figure 76: Petitioner’s Pleadings screen

Pleading

You must attach a short and plain statement of the grounds, setting forth, in numbered paragraphs, averments that include the reason(s) why the petitioner believes it is or will be damaged by the registration sought to be cancelled (i.e., petitioner’s standing), as well as the ground(s) for cancellation. [See TBMP § 309.03(a)(2)].
From the Pleading screen, after you have attached all of your attachments, including the pleading itself, click “Next Screen” to go to the Signature screen.
**Signature**

The submission must be signed by the filer. The submission will not be “signed” in the sense of a traditional paper document. To sign the submission, the signer must enter any combination of letters, numbers, spaces and/or punctuation marks that the signer has adopted as a signature, placed between two forward slash ("/") symbols in the signature block on the electronic submission. Acceptable “signatures” could include: /john doe/; /jd/; and /123-4567/.
Electronic System for Trademark Trials and Appeals

Signature

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.

Sign the request by completing the following fields.

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

Petition for Cancellation

Notice is hereby given that the following party has filed a petition to cancel the registration indicated below.

Petitioner Information

<table>
<thead>
<tr>
<th>Name</th>
<th>John Doe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entity</td>
<td>Individual</td>
</tr>
<tr>
<td>Citizenship</td>
<td>UNITED STATES</td>
</tr>
</tbody>
</table>
| Address | 100 MAIN STREET
CALAIS, ME 04619
UNITED STATES |

Correspondence Information

<table>
<thead>
<tr>
<th>JOHN DOE</th>
</tr>
</thead>
</table>
| 100 MAIN STREET
CALAIS, ME 04619
UNITED STATES |
| Primary Email: test1@uspto.gov |
| No phone number provided. |

Registration Subject to Cancellation

<table>
<thead>
<tr>
<th>Registration No.</th>
<th>Registration date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>08/12/2018</td>
</tr>
</tbody>
</table>

Registrant
## Goods/Services Subject to Cancellation

- **Class 035**: First Use: 1995/02/01 First Use in Commerce: 1995/02/01
- All goods and services in the class are subject to cancellation, namely: Promoting public awareness of the importance of school counselors by means of public advocacy.

### Grounds for Cancellation

<table>
<thead>
<tr>
<th>Priority and likelihood of confusion</th>
<th>Trademark Act Sections 14(1) and 2(d)</th>
</tr>
</thead>
</table>

### Mark Cited by Petitioner as Basis for Cancellation

<table>
<thead>
<tr>
<th>U.S. Registration No.</th>
<th>Application Date</th>
<th>11/14/2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registration Date</td>
<td>05/01/2015</td>
<td>Foreign Priority Date</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Word Mark</th>
</tr>
</thead>
<tbody>
<tr>
<td>NONE</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Design Mark</th>
</tr>
</thead>
<tbody>
<tr>
<td>NONE</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description of Mark</th>
</tr>
</thead>
<tbody>
<tr>
<td>NONE</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Goods/Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class 028: First Use: 0 First Use in Commerce: 0</td>
</tr>
<tr>
<td>Crystallized fruits; frosted fruits; frozen fruits; stewed fruit; fruit jellies; preserved fruit; fruit-based snack food; jams; jellies for food</td>
</tr>
<tr>
<td>Class 030: First Use: 0 First Use in Commerce: 0</td>
</tr>
<tr>
<td>Candy; caramels; chewing gum; chocolate; cocoa; coffee flavorings; condiments, namely, chocolate syrup, pancake syrup, maple syrup, table syrup, topping syrup, marinades, and chutneys; confectionery; namely, candy bars, lollipops, chocolates, mints, pastilles, and fondants; fruit condils; flavorings, other than essential oils; fruit jelly candy and jelly beans; honey; ice cream; dessert mousses; propolis, bee glue; dessert puddings; sherbets and sorbets; natural sweeteners</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Attachments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Test File.txt (26 bytes)</td>
</tr>
</tbody>
</table>

---

**Signature**: 

- **Name**: 
- **Date**: 04/13/2020

---

**Figure 78: Signature screen**

Validate
Electronic System for Trademark Trials and Appeals

Petition for Cancellation

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

Petition for Cancellation

Notice is hereby given that the following party has filed a petition to cancel the registration indicated below.

Petitioner Information

<table>
<thead>
<tr>
<th>Name</th>
<th>John Doe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entity</td>
<td>Individual</td>
</tr>
<tr>
<td>Citizenship</td>
<td>UNITED STATES</td>
</tr>
</tbody>
</table>
| Address | 100 MAIN STREET
CALAIS, ME 04694
UNITED STATES |

Correspondence Information

| JOHN DOE
100 MAIN STREET
CALAIS, ME 04694
UNITED STATES
Primary Email: test1@uspto.gov
No phone number provided |

Registration Subject to Cancellation

| Registration No. | Registration date | 06/12/2018 |
| Registrant | | |
## Goods/Services Subject to Cancellation

<table>
<thead>
<tr>
<th>Class</th>
<th>First Use</th>
<th>First Use In Commerce</th>
<th>All goods and services in the class are subject to cancellation, namely: Promoting public awareness of the importance of school counselors by means of public advocacy</th>
</tr>
</thead>
<tbody>
<tr>
<td>035</td>
<td>035</td>
<td>035</td>
<td></td>
</tr>
</tbody>
</table>

### Grounds for Cancellation

<table>
<thead>
<tr>
<th>Priority and likelihood of confusion</th>
<th>Trademark Act Sections 14(1) and 2(d)</th>
</tr>
</thead>
</table>

### Mark Cited by Petitioner as Basis for Cancellation

<table>
<thead>
<tr>
<th>U.S. Registration No.</th>
<th>Application Date</th>
<th>11/14/2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registration Date</td>
<td>Foreign Priority Date</td>
<td>NONE</td>
</tr>
</tbody>
</table>

### Description of Mark

- NONE

### Goods/Services

- Class 029, First use: First Use: 0 First Use In Commerce: 0
  - Crystallized fruits; frosted fruits; frozen fruits; stewed fruit; fruit jellies; preserved fruit; fruit based sauces; food; jams; jellies for food
- Class 030, First use: First Use: 0 First Use In Commerce: 0
  - Candy; caramels; chewing gum; chocolate; cocoa; coffee flavorings; condiments, namely, chocolate syrup, pancake syrup, maple syrup, table syrup, topping syrups, maraschino, and chutneys; confectionery, namely, candy bars, lollipops, chocolates, mint, pastilles, and fondants; fruit coconut flavorings, other than essential oils; fruit jelly candy and jelly beans; honey; ice cream; dessert mousses; propolis, bee glue; dessert puddings; sherbets and sorbets; natural sweeteners

### Attachments

- NONE

### Signature

- /JD/

### Name

- John Doe

### Date

- 04/13/2020

---

**Figure 79: Validate screen**
Figure 80: Make Payment screen
3.2.3 Appeal of Refusal to Register

To begin, enter the serial number of the application to be appealed. Click “Start.” The Application Data screen appears.

ESTTA Forms

- **File a New Proceeding**
  Use these options to file a new opposition, cancellation or appeal from a final refusal to register. Choose your filing and enter the serial number of the application to be opposed, the registration number of the registration to be cancelled, or the serial number of the application to be appealed.

  Type of filing: [Appeal of Refusal to Register] [Start]

  There is a filing fee associated with these forms.

  **Figure 81: Launch Form screen**

Application Data

This page displays the information relating to the serial number that you entered. Verify whether you have entered the correct serial number. Click “Next” to move forward. If incorrect, click “Cancel” and enter the correct serial number.

  **Figure 82: Application Data screen**

After clicking “Next,” The Goods and Services Appealed screen appears.
Good and Services Appealed

Choose from the list of Goods and Services on this screen to indicate which goods and services are the subject of the appeal. You may elect to appeal with respect to all or none of the goods in each class, or to appeal with respect to certain goods within a class.

Figure 83: Goods and Services Appealed screen

Click “Next” to proceed to the Correspondence Information screen.

If an applicant previously designated an attorney for correspondence or the applicant’s domicile is not located within the U.S. or its territories, then the Attorney Correspondence screen appears next.

Alternatively, the Correspondence Information screen appears next.
Correspondence Information

Enter the address at which you would like to receive correspondence regarding this filing.

Click “Next” to proceed to the Signature screen.

Signature

The submission must be signed by the filer. The submission will not be “signed” in the sense of a traditional paper document. To sign the submission, the signer must enter any combination of letters, numbers, spaces and/or punctuation marks that the signer has adopted as a signature, placed between two forward slash (“/”) symbols in the signature block on the electronic submission. Acceptable “signatures” could include: /john doe/; /jd/; and /123-4567/. 
Click “Next” to proceed to the Validate screen.
Validate

Review all of the information on this screen and click “Go to Payment screen” if the information is correct. If you need to edit any information, go back to the proper screen using the navigation buttons on this web page and make your correction(s). DO NOT USE THE BACK BUTTON ON YOUR BROWSER.
Figure 86: Validate screen
3.3 File Documents in a Board Proceeding

Use these options to file documents (motions, briefs, etc.) in an already existing opposition, cancellation, concurrent use, or appeal proceeding. Choose a filing option and enter the opposition number (91xxxxxx), cancellation number (92xxxxxx), concurrent use number (94xxxxxx), or application serial number (7xxxxxxx or 8xxxxxxx) to which your filing applies.

3.3.1 Opposition, Cancellation or Concurrent Use (general filing)

ESTTA Forms

* File Documents in a Board Proceeding
  Use these options to file documents (motions, briefs, etc.) in an already existing opposition, cancellation, concurrent use, or appeal proceeding. Choose a filing option and enter the opposition number (91xxxxxx), cancellation number (92xxxxxx), concurrent use number (94xxxxxx), or application serial number to which your filing applies.

Type of filing: [ ] Opposition, Cancellation or Concurrent Use (general filing)  
[ ] Opposition, Cancellation or Concurrent Use (general filing)

Figure 87: Form Launch screen
Identify Party

Check the box indicating the party on whose behalf this filing is being made.

Click “Next” to display the Identify Submission screen.
Identify Submission

From the list of entries shown on the screen, choose the one that best identifies the submission you are filing. You may make only one entry for each filing. Therefore, if your submission includes more than a single motion, choose the entry you consider the most relevant or significant. If you cannot find an entry that describes your submission, choose "Other Motions/Submissions" and provide a short, clear description of the submission.

See section 3.3.1.1 if you select the option “Motion for Summary Judgment.”

See section 3.3.1.2 if you select the option “Appeal or Cross-Appeal of Final Board Decision.”

Figure 89: Identify Submission screen

Click “Next” to display the Attachment screen.
Attachments

Attach required legal documents, which should be .pdf, .tiff or .txt format.

Figure 90: Attachments screen

Click “Browse” to search for the file. When located, click “Attach File” to attach the document. After you attach a document, you can remove the document by clicking “Remove”.

Click “Next” to display the Signature screen.
**Signature**

The submission must be signed by the filer. The submission will not be “signed” in the sense of a traditional paper document. To sign the submission, the signer must enter any combination of letters, numbers, spaces and/or punctuation marks that the signer has adopted as a signature, placed between two forward slash (“/”) symbols in the signature block on the electronic submission. Acceptable “signatures” could include: /john doe/; /jd/; and /123-4567/.

![Signature screen](image)

**Figure 91: Signature screen**

Click “Next” to display the Validate and Submit screen.
Validate and Submit

Click “Submit” to display the Receipt screen.

Figure 92: Validate and Submit screen
Figure 93: Receipt screen
3.3.1.1 Motion for Summary Judgment

Identify Paper

| Discovery/Trial Motions | Motion for Summary Judgment |

Summary Judgment

A party may not file a motion for summary judgment until it has made its initial disclosures, except for a motion asserting claim or issue preclusion or lack of jurisdiction by the Trademark Trial and Appeal Board. A motion for summary judgment must be filed before the day of the deadline for pretrial disclosures for the first testimony period, as originally set or as reset. Trademark Rule 2.127(e)(1).

![Summary Judgment screen](image)

Figure 94: Summary Judgment screen

If the answer to the first question is “No”, or in response to the second question the deadline date entered is today or prior to today, then the motion is untimely, and the Error – Untimely Motion screen will be displayed.

If the answer to the first question is “Yes” and in response to the second question the deadline date entered is a future date, then the motion is timely, and the Attachment screen will be displayed after selecting “Next.”
3.3.1.2 Review of Order or Decision of the Board

**Identify Paper**

If the option “Appeal or Cross-Appeal of Final Board Decision” is selected, then the Notice of Review by Appeal or Civil Action is displayed after selecting “Next.”
Notice of Review by Appeal or Civil Action

You can select only one of the push buttons on the screen.

If you are filing a civil action seeking review in a U.S. District Court, enter the Name of the U.S. District Court (if applicable) and the Case Number (if known). These are optional.

Figure 96: Notice of Review by Appeal or Civil Action
3.3.2 Consent Motion (opposition or cancellation)

While written stipulations or consent motions may be filed using the general filings option, ESTTA provides various forms for consent motions to extend the time to answer, to extend discovery and trial dates, to suspend for settlement negotiations, or to suspend pending disposition of a civil action. These forms, found under “Consent Motions (opposition or cancellation),” provide easier filing and faster processing for these motions.

**ESTTA Forms**

![Figure 97: Form Launch screen](image-url)
Consent Motions

Use this form to file the following consent motions in a cancellation or opposition proceeding:

1. Motion to extend the current period or deadline
2. Motion to suspend for settlement negotiations
3. Motion to suspend in view of civil litigation

Figure 98: Consent Motions screen
Identify Party

Check the box indicating the party on whose behalf this submission is being made. Only parties to this proceeding or their attorneys may file submissions.

If the board has an email address or addresses for a party, the Board will send all correspondence by email. A ‘hard copy’ may not be sent by postal mail. Before using this form, make sure the Board has your correct email address. If your email address shown here is incorrect or incomplete, exit this form and complete and submit the Change of Address form before proceeding with this consent motion.

![Identify Party screen](image)

Figure 99: Identify Party screen

Click “Next” on the Identify Party screen to take you to the Choose Motion screen.
3.3.2.1 Request to Extend Dates

Choose Motion

Use this form only if every party to the proceeding has expressly consented to the extension or suspension you are seeking. If a party has not expressly consented, you cannot use a consent motion form, but may file your motion using the “File Documents in a Board Proceeding,” “Opposition, Cancellation, or Concurrent Use (general filings)” option.

![Image of Choose Motion screen]

**Figure 100: Choose Motion screen**

Click “Next” on the Choose Motion screen to take you to the Grounds for Request for Extension screen.
Grounds for Request for Extension

Specify on this screen the grounds for the extension request.

![Grounds for Request for Extension screen]

**Figure 101: Grounds for Request for Extension screen**

Click “Next” on the Grounds for Request for Extension screen to take you to the Current Schedule and Proposed Schedule screen.
Current Schedule and Proposed Schedule

Enter the length of the extension to which the parties have expressly consented.

After selecting a desired length for extension, you may save this session by choosing the “Save Session” option at the bottom of the screen. However, if the saved session is resumed at a later date and one or more dates in the “Current Schedule” have become “CLOSED,” you will be required to re-select the consented length of the extension.

Figure 102: Current Schedule and Proposed Schedule screen

Click “Next” on the Current and Proposed Schedule screen to take you to the Certificate of Service screen.

Certificate of Service
The undersigned hereby certifies that a copy of this filing is being served upon all parties to this proceeding at the address of record in the following manner on the date this filing is submitted.

**Figure 103: Certificate of Service screen**

Click “Next” on the Certificate of Service screen to take you to the Signature screen.

**Signature**

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.
Electronic System for Trademark Trials and Appeals

Signature

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.

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

<table>
<thead>
<tr>
<th>Proceeding No.</th>
<th>91</th>
</tr>
</thead>
<tbody>
<tr>
<td>Filing Party</td>
<td>Plaintiff</td>
</tr>
<tr>
<td></td>
<td>John Doe</td>
</tr>
<tr>
<td>Other Party</td>
<td>Defendant</td>
</tr>
<tr>
<td></td>
<td>Ana</td>
</tr>
<tr>
<td>Pending Motion</td>
<td>There is no motion currently pending and no other motion is being filed concurrent with this consent motion.</td>
</tr>
</tbody>
</table>

Consent Motion to Extend

The Time to Answer is currently set to close on 05/20/2020. John Doe requests that such date be extended for 30 days, or until 06/19/2020, and that all subsequent dates be reset accordingly.
Figure 104: Signature screen

Click “Next” on the Signature screen to take you to the Validate and Submit screen.
Validate and Submit

Review all of the information on this screen. If the information is correct, click “Submit” to submit your filing. If you need to edit any information, go back to the proper screen using the navigation buttons on this web page and make your corrections.

DO NOT USE THE BACK BUTTON ON YOUR BROWSER.
Figure 105: Validate and Submit screen

Click “Submit” on the Validate and Submit screen to take you to the Receipt screen.
Receipt

Electronic System for Trademark Trials and Appeals

Your submission has been received by the USPTO.
The content of your submission is listed below.
You may print a copy of this receipt for your records.

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

<table>
<thead>
<tr>
<th>Proceeding No.</th>
<th>91</th>
</tr>
</thead>
<tbody>
<tr>
<td>Filing Party</td>
<td>Plaintiff</td>
</tr>
<tr>
<td></td>
<td>John Doe</td>
</tr>
<tr>
<td>Other Party</td>
<td>Defendant</td>
</tr>
<tr>
<td></td>
<td>Ana</td>
</tr>
<tr>
<td>Pending Motion</td>
<td>There is no motion currently pending and no other motion is being filed concurrent with this consent motion.</td>
</tr>
</tbody>
</table>

Consent Motion to Extend

The Time to Answer is currently set to close on 05/20/2020. John Doe requests that such date be extended for 30 days, or until 06/19/2020, and that all subsequent dates be reset accordingly.
Time to Answer | 06/19/2020  
Deadline for Discovery Conference | 07/19/2020  
Discovery Opens | 07/19/2020  
Initial Disclosures Due | 08/18/2020  
Expert Disclosures Due | 12/16/2020  
Discovery Closes | 01/15/2021  
Plaintiff's Pretrial Disclosures Due | 03/01/2021  
Plaintiff's 30-day Trial Period Ends | 04/15/2021  
Defendant's Pretrial Disclosures Due | 04/30/2021  
Defendant's 30-day Trial Period Ends | 06/14/2021  
Plaintiff's Rebuttal Disclosures Due | 06/20/2021  
Plaintiff's 15-day Rebuttal Period Ends | 07/20/2021  
Plaintiff's Opening Brief Due | 09/27/2021  
Defendant's Brief Due | 10/27/2021  
Plaintiff's Reply Brief Due | 11/11/2021  
Request for Oral Hearing (optional) Due | 11/21/2021

The grounds for this request are as follows:

- Parties are unable to complete discovery/testimony during assigned period.

John Doe has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

**Certificate of Service**

The undersigned hereby certifies that a copy of this filing has been served upon all parties, at their address of record by Email on this date.

Respectfully submitted,

JD
John Doe
test1@uspto.gov
04/15/2020

Return to ESTTA home page  Start another ESTTA filing

**Figure 106: Receipt screen**
3.3.2.2 Request to Suspend for Settlement

Choose Motion

Use this form only if every party to the proceeding has consented to the extension or suspension you are seeking. If a party has not expressly consented, you cannot use a consent motion form, but may file your motion using the “File Documents in a Board Proceeding,” “Opposition, Cancellation, or Concurrent Use (general filings)” option.

![Choose Motion screen](image)

Figure 107: Choose Motion screen

Click “Next” on the Choose Motion screen to take you to the Current Schedule and Proposed Schedule screen.

Current Schedule and Proposed Schedule

Enter the length of the suspension to which the parties have consented.

After selecting a desired length for suspension, you may save this session by choosing the “Save Session” option below. However, if the saved session is resumed at a later date and one or more dates in the “Current Schedule” have become “CLOSED,” you will be required to re-select the desired length of suspension.
Click “Next” on the Current Schedule and Proposed Schedule screen to take you to the Certificate of Service screen.
Certificate of Service

The undersigned hereby certifies that a copy of this filing is being served upon all parties to this proceeding at the address of record in the following manner on the date this filing is submitted.

Click “Next” on the Certificate of Service screen to take you to the Signature screen.

Signature

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.
**Signature**

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.

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

<table>
<thead>
<tr>
<th>Proceeding No.</th>
<th>9202</th>
</tr>
</thead>
<tbody>
<tr>
<td>Filing Party</td>
<td>Plaintiff</td>
</tr>
<tr>
<td>Other Party</td>
<td>Defendant</td>
</tr>
<tr>
<td>Pending Motion</td>
<td>Yes, there is a motion currently pending or another motion is being filed concurrent with this consent motion.</td>
</tr>
</tbody>
</table>

**Consent Motion for Suspension for Settlement**
Figure 110: Signature screen

Click “Next” on the Signature screen to take you to the Validate and Submit screen.

Validate and Submit

Review all of the information on this screen. If the information is correct, click “Submit” to submit your filing. If you need to edit any information, go back to the
proper screen using the navigation buttons on this web page and make your corrections. Do not use the back button on your browser.

```
<table>
<thead>
<tr>
<th>Proceeding No.</th>
<th>9202</th>
</tr>
</thead>
<tbody>
<tr>
<td>Filing Party</td>
<td>Plaintiff</td>
</tr>
<tr>
<td>Other Party</td>
<td>Defendant</td>
</tr>
<tr>
<td>Pending Motion</td>
<td>Yes, there is a motion currently pending or another motion is being filed concurrent with this consent motion.</td>
</tr>
</tbody>
</table>
```

Consent Motion for Suspension for Settlement
The parties are actively engaged in negotiations for the settlement of this matter. JONES requests that this proceeding be suspended for 60 days to allow the parties to continue their settlement efforts. 

Proceedings to resume on 08/15/2018.

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Time to Answer</td>
<td>07/15/2017 (CLOSED)</td>
</tr>
<tr>
<td>Deadline for Discovery Conference</td>
<td>08/14/2017 (CLOSED)</td>
</tr>
<tr>
<td>Discovery Opens</td>
<td>08/14/2017 (CLOSED)</td>
</tr>
<tr>
<td>Initial Disclosures Due</td>
<td>09/13/2017 (CLOSED)</td>
</tr>
<tr>
<td>Expert Disclosures Due</td>
<td>01/11/2018 (CLOSED)</td>
</tr>
<tr>
<td>Discovery Closes</td>
<td>02/10/2018 (CLOSED)</td>
</tr>
<tr>
<td>Plaintiff's Pretrial Disclosures Due</td>
<td>03/27/2018 (CLOSED)</td>
</tr>
<tr>
<td>Plaintiff's 30-day Trial Period Ends</td>
<td>05/11/2018 (CLOSED)</td>
</tr>
<tr>
<td>Defendant's Pretrial Disclosures Due</td>
<td>05/26/2018 (CLOSED)</td>
</tr>
<tr>
<td>Defendant's 30-day Trial Period Ends</td>
<td>09/08/2018</td>
</tr>
<tr>
<td>Plaintiff's Rebuttal Disclosures Due</td>
<td>09/23/2018</td>
</tr>
<tr>
<td>Plaintiff's 15-day Rebuttal Period Ends</td>
<td>10/23/2018</td>
</tr>
<tr>
<td>Plaintiff's Opening Brief Due</td>
<td>12/22/2018</td>
</tr>
<tr>
<td>Defendant's Brief Due</td>
<td>01/21/2019</td>
</tr>
<tr>
<td>Plaintiff's Reply Brief Due</td>
<td>02/05/2019</td>
</tr>
<tr>
<td>Request for Oral Hearing (optional) Due</td>
<td>02/15/2019</td>
</tr>
</tbody>
</table>

has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

Certificate of Service

The undersigned hereby certifies that a copy of this filing has been served upon all parties, at their address of record by EMail on this date.

Respectfully submitted,

/jd/
John Doe
jdoe@gmail.com
06/15/2018

---

Figure 111: Validate and Submit screen

Click “Submit” on the Validate and Submit screen to take you to the Receipt screen.
Receipt

Your submission has been received by the USPTO.
The content of your submission is listed below.
You may print a copy of this receipt for your records.

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

<table>
<thead>
<tr>
<th>Proceeding No.</th>
<th>92028812</th>
</tr>
</thead>
<tbody>
<tr>
<td>Filing Party</td>
<td>Plaintiff</td>
</tr>
<tr>
<td>Other Party</td>
<td>Defendant</td>
</tr>
<tr>
<td>Pending Motion</td>
<td>Yes, there is a motion currently pending or another motion is being filed concurrent with this consent motion.</td>
</tr>
</tbody>
</table>

**Consent Motion for Suspension for Settlement**
The parties are actively engaged in negotiations for the settlement of this matter. JONES requests that this proceeding be suspended for 60 days to allow the parties to continue their settlement efforts.

Proceedings to resume on 08/15/2018.

<table>
<thead>
<tr>
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<tr>
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</tr>
<tr>
<td>Expert Disclosures Due</td>
<td>01/11/2018 (CLOSED)</td>
</tr>
<tr>
<td>Discovery Closes</td>
<td>02/10/2018 (CLOSED)</td>
</tr>
<tr>
<td>Plaintiff's Pretrial Disclosures Due</td>
<td>03/27/2018 (CLOSED)</td>
</tr>
<tr>
<td>Plaintiff's 30-day Trial Period Ends</td>
<td>05/11/2018 (CLOSED)</td>
</tr>
<tr>
<td>Defendant's Pretrial Disclosures Due</td>
<td>05/26/2018 (CLOSED)</td>
</tr>
<tr>
<td>Defendant's 30-day Trial Period Ends</td>
<td>09/08/2018</td>
</tr>
<tr>
<td>Plaintiff's Rebuttal Disclosures Due</td>
<td>09/23/2018</td>
</tr>
<tr>
<td>Plaintiff's 15-day Rebuttal Period Ends</td>
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<td>Defendant's Brief Due</td>
<td>01/21/2019</td>
</tr>
<tr>
<td>Plaintiff's Reply Brief Due</td>
<td>02/05/2019</td>
</tr>
<tr>
<td>Request for Oral Hearing (optional) Due</td>
<td>02/15/2019</td>
</tr>
</tbody>
</table>

has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

Certificate of Service

The undersigned hereby certifies that a copy of this filing has been served upon all parties, at their address of record by Email on this date.

Respectfully submitted,

/jd/
John Doe
jdoe@gmail.com
06/15/2018

Return to ESTTA home page  Start another ESTTA filing

Figure 112: Receipt screen
3.3.2.3 Request to Suspend for Civil Action

Choose Motion

Use this form only if every party to the proceeding has consented to the extension or suspension you are seeking. If a party has not expressly consented, you cannot use a consent motion form, but may file your motion using the “File Documents in a Board Proceeding,” “Opposition, Cancellation, or Concurrent Use (general filings)” option.

![Choose Motion screen](image)

**Figure 113: Choose Motion screen**

Click “Next” on the Choose Motion screen to take you to the Attachments screen.

Attachments
Certificate of Service

The undersigned hereby certifies that a copy of this filing is being served upon all parties to this proceeding at the address of record in the following manner on the date this filing is submitted.
Figure 115: Certificate of Service

Click “Next” on the Certificate of Service screen to take you to the Signature screen.

Signature

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.
Figure 116: Signature screen
Click “Next” on the Signature screen to take you to the Validate and Submit screen.

**Validate and Submit**

Review all of the information on this screen. If the information is correct, click “Submit” to submit your filing. If you need to edit any information, go back to the proper screen using the navigation buttons on this web page and make your corrections. Do not use the back button on your browser.
Click “Submit” on the Validate and Submit screen to take you to the Receipt screen.

Receipt
**Consent Motion for Suspension in View of Civil Proceeding**

The parties are engaged in a civil action which may have a bearing on this proceeding. Accordingly, hereby requests suspension of this proceeding pending a final determination of the civil action. Trademark Rule 2.117.

has secured the express consent of all other parties to this proceeding for the suspension requested herein.

**Certificate of Service**

The undersigned hereby certifies that a copy of this filing has been served upon all parties, at their address of record by Email on this date.

Respectfully submitted,

/jd/

John Doe
jdoe@gmail.com
06/15/2018

---

**Figure 118: Receipt screen**
3.3.3 Change of Address

USPTO needs to have accurate correspondence information on file at all times. It is imperative that the street and email addresses are both current and correct. Communications from the Trademark Trial and Appeal Board, like confirmations of filings submitted through ESTTA or notice of the entry of orders, will be sent using email if there is one on file.

Current and correct correspondence information is necessary at all times. Please ensure that the street address AND the email address are BOTH correct. The Board will send confirmation of filings submitted via ESTTA, and notice of the entry of orders via email if the party has provided an email address. Unless otherwise noted, if the Board sends notice of the entry of an order to a party via email, it will not send a hard copy.

A filer may use a form on ESTTA to change its correspondence address. Select the following: File Documents in a Board Proceeding > Change of Address.

Upon successful completion of an ESTTA submission, the filer will receive filing confirmation by email, at the email address provided by the filer. The Board may also send orders (or notice of orders) to both parties by email. Accordingly, it is critical that ESTTA filers make sure that both parties' email addresses are correct and complete prior to transmission.

Parties should take care to promptly update the address to which correspondence should be sent (both street address and email) whenever appropriate. Parties are responsible for maintaining the correct correspondence information with the Board. Failure to do so may result in missed deadlines, with adverse consequences. Note that although email orders and notices can be sent to more than one email address, the Board will only send paper copies to the single correspondence address of record.

To begin, enter the serial number or proceeding number for the appeal or proceeding that requires a change of address. Click “Start.”
ESTTA Form Launch screen

Figure 119: Form Launch screen
**Identify Party**

Select the party on whose behalf this change of address filing is being submitted.

If the party’s domicile is not located within the U.S. or its territories, then a pop-up message will be displayed and the “I am represented by an attorney” will be automatically selected.

If the party previously designated an attorney for correspondence, then the “I am represented by an attorney” will be automatically selected.

![Identify Party screen](image)

**Figure 120: Identify Party screen**

Click “Next”.

If the field “I am represented by an attorney” is selected, then the Attorney Correspondence screen appears next.

Alternatively, the Correspondence Address screen appears next.
Correspondence Address

Update the address information, as needed.

Enter the address at which you would like to receive correspondence regarding this filing.

Click “Next” and the Certificate of Service screen will appear.
Certificate of Service

Select the appropriate method of service that you are using to serve this filing on all other parties pursuant to Trademark Rules 2.119(a) and (b).

The undersigned hereby certifies that a copy of this filing is being served upon all parties to this proceeding at the address record of in the following manner on the date this filing is submitted.

![Certificate of Service](image)

**Figure 122: Certificate of Service screen**

Click “Next” and the Signature screen will appear.
Signature

Verify that the new email address and address information that you entered is correct.

Complete all required fields including the signature.

The submission must be signed by the filer. The submission will not be “signed” in the sense of a traditional paper document. To sign the submission, the signer must enter any combination of letters, numbers, spaces and/or punctuation marks that the signer has adopted as a signature, placed between two forward slash (“/”) symbols in the signature block on the electronic submission. Acceptable “signatures” could include: /john doe/; /jd/; and /123-4567/.
Electronic System for Trademark Trials and Appeals

Signature

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.

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

Change of Correspondence Address

<table>
<thead>
<tr>
<th>Proceeding</th>
<th>Plaintiff</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>John Doe</td>
</tr>
</tbody>
</table>

Please change the correspondence address for the above party here as follows:

<table>
<thead>
<tr>
<th>Old Correspondence Address</th>
<th>New Correspondence Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>JOHN DOE</td>
<td>JOHN DOE</td>
</tr>
<tr>
<td>100 MAIN STREET</td>
<td>199 NORTH STREET</td>
</tr>
<tr>
<td>BANGOR, ME 04604</td>
<td>CALAIS, ME 04604</td>
</tr>
<tr>
<td>UNITED STATES</td>
<td>UNITED STATES</td>
</tr>
<tr>
<td>Primary Email:</td>
<td>Primary Email:</td>
</tr>
<tr>
<td>No phone number provided.</td>
<td><a href="mailto:test1@uspto.gov">test1@uspto.gov</a></td>
</tr>
</tbody>
</table>

Certificate of Service

The undersigned hereby certifies that a copy of this filing has been served upon all parties, at their address of record by Email on this date.

Filer Information

Fill in the information below. You will receive an email confirmation of your filing within 24 hours.

<table>
<thead>
<tr>
<th>Filer's Signature</th>
<th>Filer's Name</th>
<th>Filer's Email Address</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>04/15/2020</td>
</tr>
</tbody>
</table>
Figure 123: Signature screen

Click “Next” and the Validate and Submit screen will appear.
Validate and Submit

Verify that the information on the Validate and Submit screen is correct.

![Validate and Submit screen]

**Figure 124: Validate and Submit screen**

Click “Submit” to complete the change of correspondence address form.
Figure 125: Receipt screen
3.3.4 Ex Parte Appeal

ESTTA allows you to file an ex parte appeal. There is no filing fee associated with this form.

Enter the application serial number and click “Start”. The Application Data screen will appear.

ESTTA Forms

Figure 126: Forms Launch screen
Application Data

Verify that this is the correct application. If this is the correct application, click “Next” to proceed; otherwise click “Cancel” to enter a new serial number.

Only parties to this proceeding or their attorneys may file submissions.

Figure 127: Application Data screen

If this is the correct application, click “Next” to proceed to the Identify Submission screen; otherwise click “Cancel” to enter a new serial number. Only parties to this proceeding or their attorneys may submit filings.
**Identify Submission**

From the list of entries shown on the screen, choose the one that best identifies the submission you are filing. You may make only one entry for each filing. Therefore, if your submission includes more than a single motion, choose the entry you consider the most relevant or significant. If you cannot find an entry that describes your submission, choose "Other Motions/submission" and provide a short, clear description of the submission.

![Identify Submission screen](image)

**Figure 128: Identify Submission screen**

Click “Next”, and the Attachments screen appears.
**Attachments**

Attach required legal documents, which should be .pdf, .tiff or .txt format.

Click “Browse” to search for the file. When located, click “Attach File” to attach the document. You can remove the file by clicking “Remove.”.

![Figure 129: Attachments screen](image)

Click “Next” to display the Signature screen.
Signature

Sign the Submission.

The submission must be signed by the filer. The submission will not be “signed” in the sense of a traditional paper document. To sign the submission, the signer must enter any combination of letters, numbers, spaces and/or punctuation marks that the signer has adopted as a signature, placed between two forward slash (“/”) symbols in the signature block on the electronic submission. Acceptable “signatures” could include: /john doe/; /jd/; and /123-4567/.
Figure 130: Signature screen

Click “Next” to display the Validate and Submit screen.
Validate and Submit

Review all of the information on this screen and click “Submit” if the information is correct. If you need to edit any information, go back to the proper screen using the navigation buttons on this web page and make your correction(s). DO NOT USE THE BACK BUTTON ON YOUR BROWSER.

![Validate and Submit screen]

Figure 131: Validate and Submit screen

Click “Submit” on the Validate and Submit screen to take you to the Receipt screen.
**Receipt**

Your submission has been received by the USPTO. The content of your submission is listed below. You may print a copy of this receipt for your records.

**Figure 132: Receipt screen**

<table>
<thead>
<tr>
<th>Proceeding</th>
<th>86</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Mac, Edward</td>
</tr>
<tr>
<td>Applied for Mark</td>
<td>FORSTERFUNGI</td>
</tr>
</tbody>
</table>
| Correspondence Address | update EXA address  
900 south 200 west  
slc, UT 84118  
UNITED STATES  
4443331111 |
| Submission | Applicants Request for Remand and Amendment |
| Attachments | Test File.txt(26 bytes) |
| Filer's Name | John Doe |
| Filer's email | jdoe@gmail.com |
| Signature | jd/ |
| Date | 06/19/2018 |
4 How to Save Session

Click “Save Session” and a pop-up window will be displayed where you will need to enter your email address.

Enter your email address and when finished, click “Save” and the Email Confirmation pop-up appears next.

A pop-up window will be displayed with an information message stating that an email will be sent and that the session will end.
Figure 134: Enter Email pop-up