

Attachment C

INDEX TO CHANGES

June 2020

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TBMP Section:	Nature of Change:
	THROUGHOUT MANUAL
	<p>Spacing, punctuation, formatting and typographical corrections as needed for consistency.</p> <p>Corrections to order of citations where appropriate in accordance with citation and manual protocols; pin point cites and parenthetical information added to cases brought forward from previous editions where appropriate; subsequent history updated where appropriate.</p> <p>Citations to McCarthy’s checked and year updated (2020). (McCarthy is referenced in Chapters 300 and 600).¶</p> <p>Citations to Wright & Miller Federal Practice and Procedure (FPP) checked and year updated (2019). (Referenced in Chapters 300, 400, 500, 700).¶</p> <p>Checked, and updated as necessary, the Trademark Rules of Practice, Federal Rules of Civil Procedure, Federal Rules of Evidence, Federal Circuit Rules, TMEP cross references; TBMP cross references¶</p>
	CHAPTER 100
101.02	Note 3: Add <i>Double Coin Holdings Ltd. v. Tru Development</i> , 2019 USPQ2d 377409, *3, 4 (TTAB 2019).
101.03	Notes 3 and 3 corrected as Note 3 and Note 4.
102.01	New Note 6: <i>In re ADCO Industries-Technologies L.P.</i> , 2020 USPQ2d 53786 (TTAB 2020).
102.03	Add new Note 6; renumbered remaining notes Note 5: Add <i>Fifth Generation Inc. v. Titomirov Vodka LLC</i> , 2019 USPQ2d 418666,*3 (TTAB 2019).
104	Add quoted from 37 C.F.R. § 2.190(b). Amended the quoted language in 37 C.F.R. § 2.191, moved reference to 37 C.F.R. § 2.191, add amended reference to 37 C.F.R. § 2.190(b) in paragraph, and add reference to TBMP § 110.01(a). Note 2: Add <i>Lacteos de Honduras S.A. v. Industrias Sula, S. De R.L. de C.V.</i> , 2020 USPQ2d 10087 (TTAB 2020) and <i>Empresa Cubana Del Tabaco d.b.a. Cubatabaco v. General Cigar Co., Inc.</i> , 2019 USPQ2d 227680 (TTAB 2019).
106.02	Amended the quoted language in 37 C.F.R. § 11.14(e); amended the quoted language in 37 C.F.R. § 2.193; 3 para.: Add “if the party is domiciled in the United States”; added C.F.R. cite to Note 5.

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
106.03	<p>Note 2: Add <i>The Pierce-Arrow Society v. Spintek Filtration, Inc.</i>, 2019 USPQ2d 471774 *1 at n.8 (TTAB 2019); <i>Wirecard AG v. Striatum Ventures B.V.</i>, 2020 USPQ2d 10086 (TTAB 2020).</p> <p>Note 6: Add 37 C.F.R. § 2.126(a)(2) and <i>In re Virtual Independent Paralegals, LLC</i>, 2019 USPQ2d 111512, *7 n.23 (TTAB 2019).</p> <p>Note 14: Add <i>AT&T Mobility LLC v. Thomann</i>, 2020 USPQ2d 53785 (TTAB 2020)</p> <p>Added information in paragraphs 9 and 14 about best practice for electronic exhibits, and statement about confidential filings; added new paragraph 16 relating to Board directing format of submissions in certain instances.</p>
107	Amended the quoted language 37 C.F.R. § 2.195; amended Notes 1 and 2 references to 37 C.F.R. § 2.195; added new Note 3.
108	Note 2 reference to 37 C.F.R. § 2.195 corrected due to amendment.
109	Amended the quoted language 37 C.F.R. § 2.195; amended references in Notes 1-6 to 37 C.F.R. § 2.195, included additional citations to 37 C.F.R. §§ 2.195 and 2.198, Notes 3 and 4; amended paragraph 3 in view of 37 C.F.R. § 2.195 amendment.
110.01	<p>Amended quoted language 37 C.F.R. § 2.2(g), included additional definitions 37 C.F.R. § 2.2(r) and 37 C.F.R. § 2.2(s) and quoted from 37 C.F.R. § 2.190 and 37 C.F.R. § 2.195.</p> <p>Note 1: Add 37 C.F.R. § 2.2, amended reference to 37 C.F.R. § 2.195.</p>
110.01(a)	<p>Amended paragraph 3 to reflect amendment to 37 C.F.R. § 2.111(c)(ii), regarding filing petitions to director under 37 C.F.R. § 2.147.</p> <p>Note 1: Add 37 C.F.R. § 2.190(b)</p> <p>Note 5: amended reference to 37 C.F.R. § 2.111</p> <p>New Note 6 and Note 7: Add C.F.R. references.</p>
110.01(b)	<p>Addition to paragraph 1, relating to cancellations on paper filed on fifth year anniversary date.</p> <p>Added new Note 2 and Note 3, C.F.R. references. Clarification to “please note” relating to Section 66(a) extensions of time to oppose. Former Note 2 renumbered as Note 4.</p>
110.02(b)	Note 3: Add <i>In re Virtual Independent Paralegals, LLC</i> , 2019 USPQ2d 111512, *7 n.23 (TTAB 2019).
111.01	<p>Amended 37 C.F.R. § 2.198, priority mail express service amended to priority mail express post office to addressee, paragraphs 1 and 2; statement preceding paragraph 1 as to when 2.198 not available.</p> <p>New Note 1, C.F.R. references, renumbered Notes 1 and 2 to Notes 2 and 3.</p>
111.01(a)	Correction to C.F.R. reference due to amendment, clarification of priority mail service, paragraph 1.
111.01(b)	Changed “date in” to “date accepted.” Reference to 37 C.F.R. § 2.198 added.
111.02	Amended quotation of 37 C.F.R. § 2.197. Amended paragraph 2 and 3 and 4 and 6 in light of amendment to rule. Added sentence to paragraph 5, regarding applicability of rule to extension of time to oppose and oppositions

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
	against Section 66 applications. Note 3 and 4 references amended. Reference to TBMP § 111.02(f) added.
111.02(a)	Amended quotation of 37 C.F.R. § 2.190; minor addition to paragraph 1 (paper, on paper); minor addition and change to paragraphs 3, (paper and services) 4 (deleted uncertified), and 5 (capitalized “e” in ETAS); paragraph 2, added additional requirements for certificate of mailing Note 1: Amended CFR reference; Note 2: Added 37 C.F.R. § 3.27.
111.02(e)	Note 2: Amended reference to 37 C.F.R. § 2.195.
111.02(f)	Deleted first sentence paragraph 2 and deleted note 2. Amended second sentence paragraph 2. Deleted second sentence Note 1 and clarified reference to extension of time to oppose. Addition to paragraph 1, referencing 37 C.F.R. § 2.147. New Notes 2 and 3: referencing C.F.R.
113	Minor correction, paragraph 1.
113.04	Paragraphs 5 and 6 of this section amended. New Notes 4, 5, 6.
113.06	Deleted “transmission.”
114	Adding quotation of the following rules 37 C.F.R. § 2.11, 37 C.F.R. § 2.17, 37 C.F.R. § 11.1 (some definitions), replaced quotation of 37 C.F.R. § 11.14 with amended version.
114.01	Amending paragraph 1 to indicate that only US-domiciled parties can represent themselves. “Added “please note” regarding requirement of foreign domiciled applicants to hire U.S. counsel. Added statement about joint applicants representing themselves, paragraph 2. Amended Note 1: adding 37 C.F.R. § 2.11; New Notes 3, 4, 5, 6, 7, 8 and 9.
114.02	Added specific subsection of C.F.R. rule to Note 1.
114.03	Amending paragraph 1 to reflect change in 37 C.F.R. § 11.1 definition of attorney; adding new Note 2, C.F.R. reference; renumbering notes 2-7 to notes 3-8. Adding C.F.R. references to renumbered notes 2, 4, and 5, amending C.F.R. reference to renumbered note 6. Added “please note” regarding representation by U.S. attorney of foreign-domiciled party.
114.05	Amending language of quoted 37 C.F.R. § 11.14(c) and added subsection (2). Paragraph 2, clarified by changing Canadian attorney to Canadian trademark attorney. Added “Please note” relating to reciprocal recognition of Canadian trademark and patent attorneys and agents and corresponding new Notes 3, 4, 5, 6, 7 and 8. Note 2: Add additional federal register reference and Cloudworks Consulting Services Inc. v. Ongoing Operations, LLC, 2020 USPQ2d 71348 (TTAB 2020)
114.06	Corrected Note 2 C.F.R. references and made additional C.F.R. references; corrected C.F.R. reference paragraph 1. Addition to paragraph 3 relating to sending of correspondence when unauthorized individual files paper (domestic representative and other designated individual).

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
114.07	Updated 37 C.F.R. § 2.24 to reflect amendment. Deleted paragraph discussing service on director and Note 3 due to amended rule 37 C.F.R. § 2.24 and renumbered Note 4 as Note 3. Paragraph 2 deleted “foreign attorney or agent” and amending wording relating to U.S. attorney or authorized representative. Added “please note” related to requirement of U.S. counsel and designation email address for domestic representative.
116.01	Changed title of 37 C.F.R. § 2.19
116.05	Changed Trademark Operation to Trademark Examining Operation
117	Amended quoted language in 37 C.F.R. § 2.18 and 37 C.F.R. § 2.24;
117.01	Added “lawyer” to paragraph 1; additions to paragraphs 3 and 4; new paragraph 5; minor addition to paragraph 8 (now paragraph 9). New Notes 3, 4, 5, 6 and 7. Former Note 3 renumbered as Note 8.
117.03	Minor addition to paragraph 1.
117.06	Amendments to paragraph to reflect U.S. counsel requirement. “Please note” added New Note 3.
117.07	Note 2, amended C.F.R. reference.
118.02(a)	Note 4: Add <i>Cf. Syngenta Crop Protection Inc. v. Bio-Chek LLC</i> , 90 USPQ2d 1112, 1115 n.2 (TTAB 2009).
118.02(b)	Amended quoted language for 37 C.F.R. § 2.111(c), amended C.F.R. reference Note 4. Added new Notes 5 and 6. Paragraph 3 added additional sentence relating to petitions to cancel filed on paper on the fifth year anniversary date.
119.03	Addition to third paragraph to reference petitions to cancel subject to 37 C.F.R. § 2.147. Added new Note 2, C.F.R. reference. Added reference to 37 C.F.R. § 2.147, paragraph 4.
120.02	Note 1: Add <i>AT&T Mobility LLC v. Thomann</i> , 2020 USPQ2d 53785 (TTAB 2020) and C.F.R. cite New Note 4; renumbered Notes 4 and 5 as Notes 5 and 6.
CHAPTER 200	
207.03	3rd para.: remove references to authorized representative and replace with attorney
211.03	3rd para.: remove references to authorized representative
212.01	3rd para.: remove reference to authorized representative
212.04	Para. re-written to reflect requirement to file electronically an amendment; new Note 1 Note 1: reference to applicable rules and examination guide
218	4th para., before Note 6: remove reference to someone with legal authority to bind; after Note 6: re-written to reflect requirement to file electronically an amendment; new Note 7 Note 7: reference to applicable rules and examination guide
CHAPTER 300	
302.01	1st para.: reworded for clarity
306.01	2d para.: last sentence clarifies that facsimile transmission not available

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
	Notes 3 & 7: updated references to rules
306.03	2d para.: New; 3rd para.: new explanatory clause to first sentence
307.01	Note 4: Add <i>Iancu v. Brunetti</i> , 139 S. Ct. 782, 2019 USPQ2d 232043 (2019) Note 10: update reference to rule
307.02(a)	9th & 10th para.: updated explanation about the expedited cancellation pilot program Note 13: update reference to rule Note 14: Add <i>Wirecard AG v. Striatum Ventures B.V.</i> , 2020 USPQ2d 10086 (TTAB 2020)
309.02(c)(1)	2d para.: delete reference to authorized email communication before Note 3 3rd para.: update reference to rule Note 3: Add parenthetical information Notes 5, 6, & 8: update references to rules
309.02(c)(3)	2d para: between Notes 2 & 3, update communication information 4th para.: update reference to rule Note 3: add parenthetical information Notes 6 & 7: update references to rules
309.03(b)	9th para., after Note 16: Add new sentence, new Note 17, renumber remaining note Note 2: Add <i>Shael Norris v. PAVE: Promoting Awareness, Victim Empowerment</i> , 2019 USPQ2d 370880, at *3-4 (TTAB 2019) Note 3: Add <i>Schiedmayer Celesta GmbH v. Piano Factory Group, Inc.</i> , 2019 USPQ2d 341894, at *5-6 (TTAB 2019) Note 8: Add <i>Double Coin Holdings Ltd. v. Tru Development</i> , 2019 USPQ2d 377409, at *4 (TTAB 2019) Note 9: Add <i>AT&T Mobility LLC v. Mark Thomann</i> , 2020 USPQ2d 53785, at *11 (TTAB 2020); <i>Double Coin Holdings Ltd. v. Tru Development</i> , 2019 USPQ2d 377409, at *4 (TTAB 2019) Note 11: Add <i>Hole In 1 Drinks, Inc. v. Michael Lajtay</i> , 2020 USPQ2d 10020, at *3 (TTAB 2020) Note 16: Add <i>Milwaukee Electric Tool Corp. v. Freud America, Inc.</i> , 2019 USPQ2d 460354, at *4-5 (TTAB 2019); <i>Performance Open Wheel Racing, Inc. v. United States Auto Club Inc.</i> , 2019 USPQ2d 208901, at *2 (TTAB 2019) Note 17: <i>M/S R.M. Dhariwal (HUF) 100% EOU v. Zarda King Ltd.</i> , 2019 USPQ2d 149090, at *4 (TTAB 2019) Note 18: Add <i>Hole In 1 Drinks, Inc. v. Michael Lajtay</i> , 2020 USPQ2d 10020, at *3 (TTAB 2020)
309.03(c)	Point (3): delete reference to “immoral, deceptive, scandalous”; delete Note 13, renumber remaining notes to Note 21 Point (9): divide into (9) and a new (10), renumber remaining points; Add new Note 22 to point (10) Note 6: Add <i>Ricardo Media Inc. v. Inventive Software, LLC</i> , 2019 USPQ2d 311355, at *8-9 (TTAB 2019)

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
	<p>Note 8: Add <i>Spiritline Cruises LLC v. Tour Management Services, Inc.</i>, 2020 USPQ2d 48324, *12-13 (TTAB 2020)</p> <p>Old Note 13: deleted, remaining notes renumbered to 22</p> <p>Note 13: Add <i>The Pierce-Arrow Society v. Spintek Filtration, Inc.</i>, 2019 USPQ2d 471774, at *7 (TTAB 2019); <i>Schiedmayer Celesta GmbH v. Piano Factory Group, Inc.</i>, 2019 USPQ2d 341894, at *12 (TTAB 2019)</p> <p>Note 16: Add <i>Hole In 1 Drinks, Inc. v. Michael Lajtay</i>, 2020 USPQ2d 10020, at *10 (TTAB 2020); <i>A&H Sportswear Co. v. William W. Yedor</i>, 2019 USPQ2d 111513, at *6 (TTAB 2019)</p> <p>Note 19: Add <i>Shael Norris v. PAVE: Promoting Awareness, Victim Empowerment</i>, 2019 USPQ2d 370880, at *5 (TTAB 2019)</p> <p>Note 25: Add <i>Wirecard AG v. Striatum Ventures B.V.</i>, 2020 USPQ2d 10086, at *9 (TTAB 2020)</p> <p>Note 27: Add <i>M/S R.M. Dhariwal (HUF) 100% EOU v. Zarda King Ltd.</i>, 2019 USPQ2d 149090, at *7 (TTAB 2019)</p> <p>Note 39: Add <i>Milwaukee Electric Tool Corp. v. Freud America, Inc.</i>, 2019 USPQ2d 460354, at *17-18 (TTAB 2020)</p>
310.01(a)	<p>4th para.: Add “the briefing periods” before Note 10; add clarifying language about sending notifications by email between Notes 11 & 12</p> <p>5th para.: update reference to rule</p> <p>10th para.: New, new Note 21; remaining note renumbered</p> <p>Note 21: Add reference to rule</p>
311.02(b)	Restructure to (b)(1) – In General and (b)(2) – Specific Affirmative Defenses
311.02(b)(1)	<p>1st para.: delete Note 1, renumber remaining notes</p> <p>2d para: New last sentence, new Note 5</p> <p>Note 1: Add <i>Morehouse Manufacturing Corp. v. J. Strickland and Co.</i>, 407 F.2d 881, 160 USPQ 715, 717 (CCPA 1969); <i>Order of Sons of Italy in America v. Profumi Fratelli Nostra AG</i>, 36 USPQ2d 1221, 1222 (TTAB 1995)</p> <p>Note 5: <i>TiVo Brands LLC v. Tivoli, LLC</i>, 129 USPQ2d 1097, 1100-01 (TTAB 2018); <i>Kemi Organics, LLC v. Gupta</i>, 126 USPQ2d 1601, 1602 n.5 (TTAB 2018); <i>Harry Winston, Inc. v. Bruce Winston Gem Corp.</i>, 111 USPQ2d 1419, 1422-23 n.7 (TTAB 2014); <i>Giersch v. Scripps Networks Inc.</i>, 90 USPQ2d 1020, 1021 n.4 (TTAB 2009); <i>Green Spot (Thailand) Ltd. v. Vitasoy International Holdings Ltd.</i>, 86 USPQ2d 1283, 1287 (TTAB 2008)</p>
311.02(b)	<p>New</p> <p>Notes: Cases moved from Note 1 in previous 311.02</p> <p>Note 1: Estoppel cases</p> <p>Note 2: Morehouse defense cases; add <i>Performance Open Wheel Racing, Inc. v. United States Auto Club Inc.</i>, 2019 USPQ2d 208901, at *11 (TTAB 2019)</p> <p>Note 3: Prior judgment cases</p> <p>Note 4: Laches cases; add <i>Double Coin Holdings Ltd. v. Tru Development</i>, 2019 USPQ2d 377409, *9-12 (TTAB 2019); <i>Schiedmayer Celesta GmbH v. Piano Factory Group, Inc. and Sweet 16 Musical Properties, Inc.</i>, 2019 USPQ2d 341894, at *9-11 (TTAB 2019)</p>

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
	Note 5: Cases addressing other defenses
312.01	Notes 4 & 5: add 10A WRIGHT, A. MILLER& M. KANE, FEDERAL PRACTICE AND PROCEDURE Civil § 2693 (4th ed. 2019)
	CHAPTER 400
402.01	Note 11: simplify parenthetical
402.02	Last para.: Add new sentence, new Note 13 Note 1: Add <i>Hewlett Packard Enterprise Development LP v. Arroware Industries, Inc.</i> , 2019 USPQ2d 158663, at *4 (TTAB 2019) Note 13: Add <i>Chix Gear, LLC v. Princess Race Wear Corp.</i> , 2019 USPQ2d 455321, at *3 (TTAB 2019)
403.02	New last sentence; prior sentence clarifies that a foreign-domiciled party that does not yet have a U.S. licensed attorney is not eligible to use U.S. postal mail; new sentence that U.S. mail may not be available to U.S. licensed attorneys residing outside the U.S.
403.03	1st para.: prior to Note 2, sentence clarifies that a foreign-domiciled party that does not yet have a U.S. licensed attorney is not eligible to use U.S. postal mail; new sentence that U.S. mail may not be available to U.S. licensed attorneys residing outside the U.S.
404.05	Last para.: update TBMP cross references
404.08(a)	Last sentence: update TBMP cross references
405.03(d)	Note 8: Add <i>Chix Gear, LLC v. Princess Race Wear Corp.</i> , 2019 USPQ2d 455321, at *3 n.13 (TTAB 2019); add parenthetical to <i>Avia Group International Inc. v. Faraut</i> , 25 USPQ2d 1625, 1626 (TTAB 1992)
405.03(e)	1st para.: new last sentence; new Note 3; remaining notes renumbered Note 3: Add <i>Hewlett Packard Enterprise Development LP v. Arroware Industries, Inc.</i> , 2019 USPQ2d 158663, at *3 (TTAB 2019)
405.04(a)	2d para.: prior to Note 3, sentence clarifies that a foreign-domiciled party that does not yet have a U.S. licensed attorney is not eligible to use U.S. postal mail; new sentence that U.S. mail may not be available to U.S. licensed attorneys residing outside the U.S.
405.04(b)	Note 2: Add <i>Hewlett Packard Enterprise Development LP v. Arroware Industries, Inc.</i> , 2019 USPQ2d 158663, at *4 (TTAB 2019); add parenthetical to <i>Amazon Technologies, Inc. v. Wax</i> , 93 USPQ2d 1702, 1704 (TTAB 2009) Note 3: Add <i>Hewlett Packard Enterprise Development LP v. Arroware Industries, Inc.</i> , 2019 USPQ2d 158663, at *4 (TTAB 2019) Note 5: Add <i>Hewlett Packard Enterprise Development LP v. Arroware Industries, Inc.</i> , 2019 USPQ2d 158663, at *3 (TTAB 2019) Note 6: Add <i>Hewlett Packard Enterprise Development LP v. Arroware Industries, Inc.</i> , 2019 USPQ2d 158663, at *8-9 (TTAB 2019)
406.03	Note 1: Add <i>Chix Gear, LLC v. Princess Race Wear Corp.</i> , 2019 USPQ2d 455321, at *3 (TTAB 2019)
406.04	Note 1: Add <i>Chix Gear, LLC v. Princess Race Wear Corp.</i> , 2019 USPQ2d 455321, at *3 (TTAB 2019)

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
406.04(a)	2d para.: prior to Note 4, sentence clarifies that a foreign-domiciled party that does not yet have a U.S. licensed attorney is not eligible to use U.S. postal mail; new sentence that U.S. mail may not be available to U.S. licensed attorneys residing outside the U.S.
406.04(b)	Notes 7 & 9: Add <i>Chix Gear, LLC v. Princess Race Wear Corp.</i> , 2019 USPQ2d 455321, at *3 (TTAB 2019) Note 10: Add <i>Chix Gear, LLC v. Princess Race Wear Corp.</i> , 2019 USPQ2d 455321, at *2 (TTAB 2019)
406.04(c)	2d para.: new Note 14, remaining notes renumbered Notes 12 & 13: Add <i>Busy Beauty, Inc. v. JPB Group, LLC</i> , 2019 USPQ2d 338392, at *4 (TTAB 2019) Note 14: Add <i>Busy Beauty, Inc. v. JPB Group, LLC</i> , 2019 USPQ2d 338392, at *4 (TTAB 2019)
406.05(e)	1st para.: new last sentence, new Note 3, remaining notes renumbered Note 3: Add <i>Hewlett Packard Enterprise Development LP v. Arroware Industries, Inc.</i> , 2019 USPQ2d 158663, at *3 (TTAB 2019)
407.02	Last para.: new Note 6, remaining note renumbered Note 6: Add <i>Hewlett Packard Enterprise Development LP v. Arroware Industries, Inc.</i> , 2019 USPQ2d 158663, at *7 (TTAB 2019)
407.03(a)	2d para.: prior to Note 4, sentence clarifies that a foreign-domiciled party that does not yet have a U.S. licensed attorney is not eligible to use U.S. postal mail; new sentence that U.S. mail may not be available to U.S. licensed attorneys residing outside the U.S.
407.05(e)	1st para.: new last sentence, new Note 3; remaining notes renumbered Note 3: Add <i>Hewlett Packard Enterprise Development LP v. Arroware Industries, Inc.</i> , 2019 USPQ2d 158663, at *3 (TTAB 2019)
410	Notes 8 & 9: Add <i>Hewlett Packard Enterprise Development LP v. Arroware Industries, Inc.</i> , 2019 USPQ2d 158663, at *3 (TTAB 2019)
411.05	Note 1: Add <i>Benedict v. Super Bakery, Inc.</i> , 665 F.3d 1263, 101 USPQ2d 1089 (Fed. Cir. 2011); <i>Fifth Generation Inc. v. Titomirov Vodka LLC</i> , 2019 USPQ2d 418666, at *4–5 (TTAB 2019)
412	Update sub-title “Material designated as Confidential - Attorneys' Eyes Only (Trade Secret/Commercially Sensitive)” from TTAB’s standard protective order
412.01	2d para., end of second sentence: new Note 3; remaining notes renumbered Note 3: Add <i>United States Polo Association v. David McLane Enterprises, Inc.</i> , 2019 USPQ2d 108442, at *2 (TTAB 2019) Note 13: Add <i>United States Polo Association v. David McLane Enterprises, Inc.</i> , 2019 USPQ2d 108442, at *3 (TTAB 2019)
412.01 (a)	Update sub-title “Material designated as Confidential - Attorneys' Eyes Only (Trade Secret/Commercially Sensitive)” from TTAB’s standard protective order Note 13: Add <i>United States Polo Association v. David McLane Enterprises, Inc.</i> , 2019 USPQ2d 108442, at *7 (TTAB 2019)

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
	Note 14: Add <i>United States Polo Association v. David McLane Enterprises, Inc.</i> , 2019 USPQ2d 108442, at *2–3 (TTAB 2019); delete <i>Emilio Pucci International BV v. Sachdev</i> , 118 USPQ2d 1383, 1386 (TTAB 2016) Note 15: Add <i>United States Polo Association v. David McLane Enterprises, Inc.</i> , 2019 USPQ2d 108442, at *2 (TTAB 2019); <i>Emilio Pucci International BV v. Sachdev</i> , 118 USPQ2d 1383, 1386 (TTAB 2016)
412.01(b)	Note 6: Add <i>United States Polo Association v. David McLane Enterprises, Inc.</i> , 2019 USPQ2d 108442, at *2 (TTAB 2019) Note 15: Add <i>United States Polo Association v. David McLane Enterprises, Inc.</i> , 2019 USPQ2d 108442, at *2–3 (TTAB 2019) Notes 16 & 17: Add <i>United States Polo Association v. David McLane Enterprises, Inc.</i> , 2019 USPQ2d 108442, at *3 (TTAB 2019)
412.01(c)	Update (12) in TTAB’s standard protective order to “Redactions are subject to a rule of reasonableness.”
412.02	New information after Note 2; new Note 3 Note 3: <i>United States Polo Association v. David McLane Enterprises, Inc.</i> , 2019 USPQ2d 108442, at *3 (TTAB 2019)
412.02(d)	Remove (1), renumber subsequent points
412.04	Update (12) in TTAB’s standard protective order to “Redactions are subject to a rule of reasonableness.”
414	New guideline (26), new Note 36 Note 36: <i>Chix Gear, LLC v. Princess Race Wear Corp.</i> , 2019 USPQ2d 455321, at *3 (TTAB 2019)
	CHAPTER 500
503.03	Note 4: Add <i>Lacteos de Honduras S.A. v. Industrias Sula, S. De R.L. de C.V.</i> , 2020 USPQ2d 10087 (TTAB 2020)
506.01	Note 1: Add <i>Lacteos de Honduras S.A. v. Industrias Sula, S. De R.L. de C.V.</i> , 2020 USPQ2d 10087 (TTAB 2020)
509.01(a)	4th para.: Add explanation after Note 5; new Note 6 Note 6: Add <i>Covidie n LP v. ERBE Elektromedizin GmbH</i> , 2019 USPQ2d 265006 (TTAB 2019). Renumbered subsequent note.
510.03(a)	Withdrawal of Counsel section: clarifying language concerning pro se representation
510.03(b)	Withdrawal of Counsel section: clarifying language concerning pro se representation
513	3rd para.: clarifying language concerning representation under the U.S. counsel rule; new Note 5; subsequent note renumbered Note 5: Add 37 C.F.R. § 2.11(a)
520	Note 1: Add <i>Andrusiek v. Cosmic Crusaders LLC</i> , 2019 USPQ2d 222984 * 2-3 (TTAB 2019)
520	Note 5: Add <i>Empresa Cubana Del Tabaco d.b.a Cubatabaco v. General Cigar Co., Inc.</i> , 2019 USPQ2d 227680 (TTAB 2019)
523.01	1st para: Add language and new Note 4.

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
	Note 4: <i>Chix Gear, LLC v. Princess Race Wear Corp.</i> , 2019 USPQ2d 455321 (TTAB 2019) Renumbered subsequent notes.
526	Note 2: Add 37 C.F.R. § 2.120(d); <i>Hewlett Packard Enter. Development LP v. Arroware Industries, Inc.</i> , 2019 USPQ2d 158663 * 2-3 (TTAB 2019)
527.01(a)	Note 1: Add <i>Fifth Generation Inc. v. Titomirov Vodka LLC</i> , 2019 USPQ2d 418666 (TTAB 2019); <i>Busy Beauty, Inc. v. JPB Group, LLC</i> , 2019 USPQ2d 338392 (TTAB 2019); <i>Optimal Chemical Inc. v. Srills LLC</i> , 2019 USPQ2d 338409 (TTAB 2019)
527.03	Note 2: Add <i>Optimal Chemical Inc. v. Srills, LLC</i> , 2009 USPQ2d 338409 (TTAB 2019)
528.01	Note 11: Add <i>Cf. A&H Sportswear Co., Inc. v. Yedor</i> , 2019 USPQ2d 11153 (TTAB 2019)
528.05(a)(2)	Note 1: Add <i>Wirecard AG v. Striatum Ventures B.V.</i> , 2020 USPQ2d 10086 (TTAB 2020) (parties stipulated to ACR option pursuant to Board’s pilot expedited cancellation proceeding)
533.01	Note 1: Add <i>Robinson v. Hot Grabba Leaf, LLC</i> , 2019 USPQ2d 149089 (TTAB 2019), <i>judgment vacated on other grounds</i> , (S.D. Fla. Dec. 17, 2019)
	CHAPTER 600
602.01	2d para., 2d sentence: reworded slightly for clarity 3d para., 1st sentence: changed “by filing in the Office” to “by filing with the Office” Section titled: Abandonment for failure to respond to office action after remand: 1st sentence: Changed § 1 or § 44 to Trademark Act §§ 1 or 44 Note 1: changed 37 C.F.R. § 2.34(b)(3) to 37 C.F.R. § 2.34(b)
602.02(a)	Section titled: Deletion of only some goods and services in a single class affecting only the registered extension of protection is an amendment for a Trademark Act § 66(a) registration: 1st sentence: changed § 66(a) to Trademark § 66(a) 9th para., 3d sentence after [Note 13.]: changed “in the Board proceedings” to “in the Board’s cancellation proceeding”
602.02(b)	10th para., sentence preceding [Note 11.]: changed “plaintiff” to “petitioner”
603	Note 8: changed 37 C.F.R. § 2.34(b)(3) to 37 C.F.R. § 2.34(b)
605.03(b)	2d para., 2d sentence: Changed § 1 or § 44 to Trademark Act §§ 1 or 44
	CHAPTER 700
701	Note 7: Add <i>Hole In 1 Drinks, Inc. v. Lajtay</i> , 2020 USPQ2d 71345, *2 (TTAB 2020); <i>Wirecard AG c. Striatum Ventures B.V.</i> , 2020 USPQ2d 10086 (TTAB 2020); <i>Optimal Chemical Inc. v. Srills LLC</i> , 2019 USPQ2d 338409 (TTAB 2019); <i>Robinson v. Hot Grabba Leaf, LLC</i> , 2019 USPQ2d 149089 (TTAB 2019) <i>Sports Authority Michigan Inc. v. PC Authority Inc.</i> , 63 USPQ2d 1782 (TTAB 2002) to Note 8: Add <i>AT&T Mobility LLC v. Thomann</i> , 2020 USPQ2d 53785, (TTAB 2020), <i>Wirecard AG v. Striatum Ventures B.V.</i> , 2020 USPQ2d

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
	10086 (TTAB 2020); <i>Lebanon Seaboard Corporation v. R & R Turf Supply, Inc.</i> , 101 USPQ2d 1826 (TTAB 2012) to Note 8.
702.01	Note 10: Add <i>Andrusiek v. Cosmic Crusaders LLC</i> , 2019 USPQ2d 222984 (TTAB 2019).
702.02	Note 4: Add <i>Optimal Chemical Inc. v. Srills LLC</i> , 2019 USPQ2d 338409, *14 n.90 (TTAB 2019).
702.03	Note 3: Add <i>Ricardo Media Inc. v. Inventive Software, LLC</i> , 2019 USPQ2d 311355, (TTAB 2019); Notes 4, 5, 6 and 7: Add <i>Andrusiek v. Cosmic Crusaders LLC</i> , 2019 USPQ2d 222984 (TTAB 2019); Note 4: Add <i>USPS v. RPost Communication Ltd.</i> , 124 USPQ2d 1045 (TTAB 2017)
702.04(a)	11th para.: Added before Please Note Notes 1, 2, 6 and 12: Add <i>Wirecard AG c. Striatum Ventures B.V.</i> , 2020 USPQ2d 10086 (TTAB 2020); Note 12: Add <i>TV Azteca, S.A.B. de C.V. v. Martin</i> , 128 USPQ2d 1786 (TTAB 2018)
702.04(b)	2d para.: clarifying language; new note 5 and 6; renumbered Notes 5-10 as Notes 7 through 12. Note 5: Add <i>Wirecard AG v. Striatum Ventures B.V.</i> , 2020 USPQ2d 10086, at *3 n.6 (TTAB 2020) Note 6: Add <i>Sanford's Estate v. Commissioner of Internal Revenue</i> , 308 U.S. 39, 51 (1939); <i>Technicon Instruments Corp. v. Alpkem Corp.</i> , 866 F.2d 417, 9 USPQ2d 1540, 1543 (Fed. Cir. 1989); <i>Julius Forstmann & Co. v. United States</i> , 26 CCPA 336, 338 (CCPA 1939); <i>Wirecard AG v. Striatum Ventures B.V.</i> , 2020 USPQ2d 10086, at *3 n.6 (TTAB 2020)
702.04(d)	5th para.: Add information about ACR after Note 2; New Notes 3 and 4 to paragraph 5. Renumbered notes 3-6 as notes 5-8. Note 1: Add ., <i>Wirecard AG v. Striatum Ventures B.V.</i> , 2020 USPQ2d 10086, at *2 (TTAB 2020); <i>Lebanon Seaboard Corporation v. R & R Turf Supply, Inc.</i> , 101 USPQ2d 1826, 1828 (TTAB 2012) Note 3: Add <i>Wirecard AG v. Striatum Ventures B.V.</i> , 2020 USPQ2d 10086, at *3 n.6 (TTAB 2020) Note 4: Add <i>Sanford's Estate v. Commissioner of Internal Revenue</i> , 308 U.S. 39, 51 (1939); <i>Technicon Instruments Corp. v. Alpkem Corp.</i> , 866 F.2d 417, 9 USPQ2d 1540, 1543 (Fed. Cir. 1989); <i>Julius Forstmann & Co. v. United States</i> , 26 CCPA 336, 338 (CCPA 1939); <i>Wirecard AG v. Striatum Ventures B.V.</i> , 2020 USPQ2d 10086, at *3 n.6 (TTAB 2020) Note 5: Add <i>Real Foods Pty Ltd. v. Frito-Lay North America, Inc.</i> , 906 F.3d 965 , 128 USPQ2d 1370, (Fed. Cir. 2018)
702.04(e)	New note 2. Renumbered Note 2 as Note 3. Note 1: Add <i>AT&T Mobility LLC v. Thomann</i> , 2020 USPQ2d 53785 (TTAB 2020); <i>Hanscomb Consulting, Inc. v. Hanscomb Ltd.</i> , 2020 USPQ2d 10085 (TTAB 2020); <i>Milwaukee Electric Tool Corp. v. Freud America, Inc.</i> , 2019 USPQ2d 460354 (TTAB 2019); <i>Empresa Cubana Del Tabaco v. General Cigar Co.</i> , 2019 USPQ2d 227680 (TTAB 2019)

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
	<p>Note 2: Add <i>Sanford’s Estate v. Commissioner of Internal Revenue</i>, 308 U.S. 39, 51 (1939); <i>Technicon Instruments Corp. v. Alpkem Corp.</i>, 866 F.2d 417, 9 USPQ2d 1540, 1543 (Fed. Cir. 1989); <i>Julius Forstmann & Co. v. United States</i>, 26 CCPA 336, 338 (CCPA 1939); <i>Wirecard AG v. Striatum Ventures B.V.</i>, 2020 USPQ2d 10086, at *3 n.6 (TTAB 2020)</p>
702.05	<p>Note 6: Add <i>AT&T Mobility LLC v. Thomann</i>, 2020 USPQ2d 53785 (TTAB 2020)</p>
703.01(a)	<p>4th para.: New, add new Note 4.</p> <p>Note 1: Add <i>Robinson v. Hot Grabba Leaf, LLC</i>, 2019 USPQ2d 149089 (TTAB 2019); <i>Andrusiek v. Cosmic Crusaders LLC</i>, 2019 USPQ2d 222984 (TTAB 2019); <i>Sports Authority Michigan Inc. v. PC Authority Inc.</i>, 63 USPQ2d 1782, 1786 n.4 (TTAB 2002);</p> <p>Note 2: Add <i>Ricardo Media Inc. v. Inventive Software, LLC</i>, 2019 USPQ2d 311355 (TTAB 2019);</p> <p>Note 3: Add <i>Anheuser-Busch, Inc. v. Major Mud & Chemical Co.</i>, 221 USPQ 1191 (TTAB 1984)</p> <p>Note 4: Add <i>Robinson v. Hot Grabba Leaf, LLC</i>, 2019 USPQ2d 149089, at *4, *4 n.23 (TTAB 2019)</p>
703.01(b)	<p>3rd para.: New information about reasonable place for deposition, new Notes 9, 10, remaining notes renumbered</p> <p>5th para.: New information about making a witness in a foreign country available for cross examination, new Notes 13, 14, remaining notes renumbered</p> <p>7th para.: New information about stipulating to depositions in foreign country, new Notes 17 and 18, remaining notes renumbered. Add reference to TBMP § 702.04(e), last paragraph.</p> <p>Note 1: Add <i>Robinson v. Hot Grabba Leaf, LLC</i>, 2019 USPQ2d 149089, (TTAB 2019); <i>Andrusiek v. Cosmic Crusaders LLC</i>, 2019 USPQ2d 222984, at *2 (TTAB 2019)</p> <p>Note 2: Add <i>Ricardo Media Inc. v. Inventive Software, LLC</i>, 2019 USPQ2d 311355 (TTAB 2019)</p> <p>Notes 2-7, 12, 13, 17, 18, 19: Add <i>Empresa Cubana Del Tabaco v. General Cigar Co.</i>, 2019 USPQ2d 227680 (TTAB 2019)</p> <p>Notes 2, 4, 9, 10, 14, 19: Add <i>Andrusiek v. Cosmic Crusaders LLC</i>, 2019 USPQ2d 222984 (TTAB 2019),</p> <p>Note 11: Add <i>Health-Tex Inc. v. Okabashi (U.S.) Corp.</i>, 18 USPQ2d 1409 (TTAB 1990)</p> <p>Note 19: Add <i>Bass Pro Trademarks LLC v. Sportsman’s Warehouse Inc.</i>, 89 USPQ2d 1844 (TTAB 2008); <i>Target Brands Inc. v. Hughes</i>, 85 USPQ2d 1676 (TTAB 2007)</p>
703.01(c)	<p>Note 1: Add <i>Wirecard AG c. Striatum Ventures B.V.</i>, 2020 USPQ2d 10086 (TTAB 2020); <i>Robinson v. Hot Grabba Leaf, LLC</i>, 2019 USPQ2d 149089 (TTAB 2019)</p>
703.01(d)	<p>3rd para.: New information about good cause, new Notes 7 and 8, remaining note renumbered</p> <p>Note 1: Add <i>Sports Authority Michigan Inc. v. PC Authority Inc.</i>, 63 USPQ2d 1782 (TTAB 2002)</p>

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
	<p>Note 4: Add <i>Andrusiek v. Cosmic Crusaders LLC</i>, 2019 USPQ2d 222984 (TTAB 2019)</p> <p>Note 6: Add <i>Empresa Cubana Del Tabaco v. General Cigar Co.</i>, 2019 USPQ2d 227680 (TTAB 2019)</p> <p>Note 7: Add . <i>Empresa Cubana Del Tabaco v. General Cigar Co.</i>, 2019 USPQ2d 227680, at *1 n.8, *2 (TTAB 2019)</p> <p>Note 8: Add rule references; <i>Empresa Cubana Del Tabaco v. General Cigar Co.</i>, 2019 USPQ2d 227680, at *1 n.8, *2 (TTAB 2019)</p>
703.01(e)	<p>6th para.: New information about oral cross exam and deposition upon written questions, new Note 10</p> <p>Notes 7, 9: Add <i>Andrusiek v. Cosmic Crusaders LLC</i>, 2019 USPQ2d 222984 (TTAB 2019)</p> <p>Note 7: Add 37 C.F.R. § 2.123(c)</p> <p>Note 8, 10: Add <i>Empresses Cubana Del Tabaco v. General Cigar Co., Inc.</i>, 2019 USPQ2d 227680 (TTAB 2019)</p>
703.01(f)(1)	<p>Note 1: Add <i>Empresa Cubana Del Tabaco v. General Cigar Co.</i>, 2019 USPQ2d 227680 (TTAB 2019)</p>
703.01(f)(3)	<p>3rd para.: New, new Note 3</p> <p>Note 1: Add <i>Empresa Cubana Del Tabaco v. General Cigar Co.</i>, 2019 USPQ2d 227680 (TTAB 2019)</p> <p>Note 3: Add <i>Empresa Cubana Del Tabaco v. General Cigar Co.</i>, 2019 USPQ2d 227680, at *3 n.12 (TTAB 2019)</p>
703.01(g)	<p>Note 4: Add <i>Empresa Cubana Del Tabaco v. General Cigar Co.</i>, 2019 USPQ2d 227680 (TTAB 2019)</p>
703.01(h)	<p>Note 2: Add <i>M/S R.M. Dhariwal (HUF) 100% EOU v. Zarda King Ltd.</i>, 2019 USPQ2d 149090 (TTAB 2019); <i>Optimal Chemical Inc. v. Srills LLC</i>, 2019 USPQ2d 338409 (TTAB 2019)</p> <p>Note 4: Add <i>USPS v. RPost Communication Ltd.</i>, 124 USPQ2d 1045 (TTAB 2017)</p> <p>Note 6: Add <i>Andrusiek v. Cosmic Crusaders LLC</i>, 2019 USPQ2d 222984 (TTAB 2019)</p>
703.01(i)	<p>7th & 8th paras.: Added sentence offering best practice</p> <p>Notes 3 and 4: Add <i>USPS v. RPost Communication Ltd.</i>, 124 USPQ2d 1045, (TTAB 2017)</p> <p>Note 10: Add <i>AT&T Mobility LLC v. Thomann</i>, 2020 USPQ2d 53785, (TTAB 2020)</p> <p>Note 12: Add <i>Wirecard AG v. Striatum Ventures B.V.</i>, 2020 USPQ2d 10086, *3 n.4 (TTAB 2020); <i>Pierce-Arrow Society v. Spintek Filtration, Inc.</i>, 2019 USPQ2d 471774 (TTAB 2019)</p>
703.01(k)	<p>Note 4: Add <i>Sports Authority Michigan Inc. v. PC Authority Inc.</i>, 63 USPQ2d 1782 (TTAB 2002); <i>Anheuser-Busch, Inc. v. Major Mud & Chemical Co.</i>, 221 USPQ 1191 (TTAB 1984)</p> <p>Note 7: Add <i>Andrusiek v. Cosmic Crusaders LLC</i>, 2019 USPQ2d 222984 (TTAB 2019)</p> <p>Note 8: Add <i>Ricardo Media Inc. v. Inventive Software, LLC</i>, 2019 USPQ2d 311355 (TTAB 2019)</p>

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
703.01(l)	Note 3: Add <i>Andrusiek v. Cosmic Crusaders LLC</i> , 2019 USPQ2d 222984 (TTAB 2019)
703.01(m)	Notes 1 and 3: Add <i>Andrusiek v. Cosmic Crusaders LLC</i> , 2019 USPQ2d 222984, *1 n.2 (TTAB 2019)
703.01(p)	Note 2: Add <i>AT&T Mobility LLC v. Thomann</i> , 2020 USPQ2d 53785 (TTAB 2020); <i>Optimal Chemical Inc. v. Srills LLC</i> , 2019 USPQ2d 338409 (TTAB 2019) Note 3: Add <i>AT&T Mobility LLC v. Thomann</i> , 2020 USPQ2d 53785, at *5 nn.17-19 (TTAB 2020)
703.02(a)	Note 1: Add <i>Robinson v. Hot Grabba Leaf, LLC</i> , 2019 USPQ2d 149089 (TTAB 2019); <i>Andrusiek v. Cosmic Crusaders LLC</i> , 2019 USPQ2d 222984 (TTAB 2019) Note 2: Add <i>Empresa Cubana Del Tabaco v. General Cigar Co.</i> , 2019 USPQ2d 227680 (TTAB 2019)
703.02(b)	Note 1: Add <i>Andrusiek v. Cosmic Crusaders LLC</i> , 2019 USPQ2d 222984 (TTAB 2019); delete <i>Corporacion Habanos S.A. v. Annacas, Inc.</i> , 88 USPQ2d 1785, 1789 (TTAB 2008)
703.02(c)	Note 1: Add <i>Wirecard AG c. Striatum Ventures B.V.</i> , 2020 USPQ2d 10086 (TTAB 2020); <i>Robinson v. Hot Grabba Leaf, LLC</i> , 2019 USPQ2d 149089 (TTAB 2019) Note 4: Add <i>Empresa Cubana Del Tabaco v. General Cigar Co.</i> , 2019 USPQ2d 227680 (TTAB 2019)
703.02(g)	Note 9: Add <i>Empresa Cubana Del Tabaco v. General Cigar Co.</i> , 2019 USPQ2d 227680 (TTAB 2019) added t Note 10: Add <i>Andrusiek v. Cosmic Crusaders LLC</i> , 2019 USPQ2d 222984 (TTAB 2019)
703.02(h)	Note 1: Add <i>Andrusiek v. Cosmic Crusaders LLC</i> , 2019 USPQ2d 222984 (TTAB 2019)
703.02(j)	Note 1: Add <i>Anheuser-Busch, Inc. v. Major Mud & Chemical Co.</i> , 221 USPQ 1191 (TTAB 1984)
703.02(m)	Note 2: Add <i>Empresa Cubana Del Tabaco v. General Cigar Co.</i> , 2019 USPQ2d 227680 (TTAB 2019)
704.03(a)	Notes 4 and 5: Add <i>Robinson v. Hot Grabba Leaf, LLC</i> , 2019 USPQ2d 149089 (TTAB 2019)
704.03(b)(1)(A)	Note 8: Add <i>Ricardo Media Inc. v. Inventive Software, LLC</i> , 2019 USPQ2d 311355 (TTAB 2019) Note 24: Add <i>A&H Sportswear Co., Inc. v. Yedor</i> , 2019 USPQ2d 111513 (TTAB 2019)
704.03(b)(1)(B)	Notes 1 & 8: Add <i>Ricardo Media Inc. v. Inventive Software, LLC</i> , 2019 USPQ2d 311355 (TTAB 2019)
704.03(b)(2)	Note 4: Add <i>Ricardo Media Inc. v. Inventive Software, LLC</i> , 2019 USPQ2d 311355 (TTAB 2019)
704.04	Notes 2: Add <i>Robinson v. Hot Grabba Leaf, LLC</i> , 2019 USPQ2d 149089, at *4, n.23 (TTAB 2019)

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
	Note 7: Add <i>Robinson v. Hot Grabba Leaf, LLC</i> , 2019 USPQ2d 149089, at *4-5 (TTAB 2019); <i>Robinson v. Hot Grabba Leaf, LLC</i> , 2019 USPQ2d 149089, at *7 (TTAB 2019)
704.05(b)	Note 1: Add <i>Hole In 1 Drinks, Inc. v. Lajtay</i> , 2020 USPQ2d 71345 (TTAB 2020); <i>Double Coin Holdings Ltd. v. Tru Development</i> , 2019 USPQ2d 377409 (TTAB 2019); <i>Norris v. PAVE: Promoting Awareness, Victim Empowerment</i> , 2019 USPQ2d 370880 (TTAB 2019) Note 2: Add <i>Norris v. PAVE: Promoting Awareness, Victim Empowerment</i> , 2019 USPQ2d 370880 (TTAB 2019)
704.06(b)	Note 1: Add <i>Martahus v. Video Duplication Services, Inc.</i> , 424 F.3d 417, 27 USPQ2d 1846 (Fed. Cir. 1993); <i>In re Simulations Publications, Inc.</i> , 521 F.2d 797, 187 USPQ 147 (CCPA 1975); <i>Performance Open Wheel Racing, Inc. v. United States Auto Club Inc.</i> , 2019 USPQ2d 208901 (TTAB 2019) added to Note 2: Add <i>Robinson v. Hot Grabba Leaf, LLC</i> , 2019 USPQ2d 149089 (TTAB 2019)
704.08(a)	5th para.: After Note 6, explanatory information, New Note 7; renumbered remaining notes Note 6: Add <i>Ricardo Media Inc. v. Inventive Software, LLC</i> , 2019 USPQ2d 311355 (TTAB 2019); <i>Schiedmayer Celesta GmbH v. Piano Factory Group, Inc.</i> , 2019 USPQ2d 341894, at *8 n.14 (TTAB 2019) Note 7: Add <i>Spiritline Cruises LLC v. Tour Management Services, Inc.</i> , 2020 USPQ2d 48324, at *2, *11 (TTAB 2020); <i>Ricardo Media Inc. v. Inventive Software, LLC</i> , 2019 USPQ2d 311355, at *2 (TTAB 2019); <i>Robinson v. Hot Grabba Leaf, LLC</i> , 2019 USPQ2d 149089, at *6-7 (TTAB 2019); <i>Ayoub, Inc. v. ACS Ayoub Carpet Service</i> , 118 USPQ2d 1392, 1399 n.62, 1403 (TTAB 2016); <i>Harry Winston, Inc. v. Bruce Winston Gem Corp.</i> , 111 USPQ2d 1419, 1427-28 (TTAB 2014)
704.08(b)	4th para.: New Note 7, following notes renumbered to para. 8 8th para.: New notes 12-17, remaining notes renumbered 9th para.: New discussion of Internet printouts and Archive Wayback Machine Note 6: Add <i>Spiritline Cruises LLC v. Tour Management Services, Inc.</i> , 2020 USPQ2d 48324 (TTAB 2020); <i>Milwaukee Electric Tool Corp. v. Freud America, Inc.</i> , 2019 USPQ2d 460354 (TTAB 2019); <i>Ricardo Media Inc. v. Inventive Software, LLC</i> , 2019 USPQ2d 311355 (TTAB 2019); <i>Optimal Chemical Inc. v. Srills LLC</i> , 2019 USPQ2d 338409 (TTAB 2019); <i>Schiedmayer Celesta GmbH v. Piano Factory Group, Inc. and Sweet 16 Musical Properties, Inc.</i> , 2019 USPQ2d 341894 (TTAB 2019); <i>Optimal Chemical Inc. v. Srills LLC</i> , 2019 USPQ2d 338409 (TTAB 2019) Note 7: Add <i>Ricardo Media Inc. v. Inventive Software, LLC</i> , 2019 USPQ2d 311355, at *3 (TTAB 2019); <i>Baroness Small Estates, Inc. v. American Wine Trade, Inc.</i> , 104 USPQ2d 1224, 1228 (TTAB 2012) Notes 8: Add <i>Optimal Chemical Inc. v. Srills LLC</i> , 2019 USPQ2d 338409, at *2 n.13 (TTAB 2019) Note 11: Add <i>Schiedmayer Celesta GmbH v. Piano Factory Group, Inc. and Sweet 16 Musical Properties, Inc.</i> , 2019 USPQ2d 341894 (TTAB 2019)

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
	<p>Note 11: Add <i>Schiedmayer Celesta GmbH v. Piano Factory Group, Inc. and Sweet 16 Musical Properties, Inc.</i>, 2019 USPQ2d 341894 (TTAB 2019); <i>Optimal Chemical Inc. v. Srills LLC</i>, 2019 USPQ2d 338409, at *14 n.90 (TTAB 2019)</p> <p>Note 12: add <i>Spiritline Cruises LLC v. Tour Management Services, Inc.</i>, 2020 USPQ2d 48324, at *2, *11 (TTAB 2020); <i>Ricardo Media Inc. v. Inventive Software, LLC</i>, 2019 USPQ2d 311355, at *2 (TTAB 2019); TTAB 2019); <i>Robinson v. Hot Grabba Leaf, LLC</i>, 2019 USPQ2d 149089, at *6, *7 (TTAB 2019); <i>Ayoub, Inc. v. ACS Ayoub Carpet Service</i>, 118 USPQ2d 1392, 1399 n.62, 1403 (TTAB 2016)</p> <p>Note 13: Add <i>Spiritline Cruises LLC v. Tour Management Services, Inc.</i>, 2020 USPQ2d 48324, at *3 (TTAB 2020)</p> <p>Note 14: Add <i>Spiritline Cruises LLC v. Tour Management Services, Inc.</i>, 2020 USPQ2d 48324, at *3-4 (TTAB 2020)</p> <p>Note 15: Add <i>Spiritline Cruises LLC v. Tour Management Services, Inc.</i>, 2020 USPQ2d 48324, at *4 (TTAB 2020)</p> <p>Note 16: Add <i>Spiritline Cruises LLC v. Tour Management Services, Inc.</i>, 2020 USPQ2d 48324, at *4, *9, *11 (TTAB 2020)</p>
704.09	Note 2: Add <i>Empresa Cubana Del Tabaco v. General Cigar Co.</i> , 2019 USPQ2d 227680 (TTAB 2019)
704.10	Note 10: Add <i>Hanscomb Consulting, Inc. v. Hanscomb Ltd.</i> , 2020 USPQ2d 10085 (TTAB 2020)
704.11	Note 2: Add <i>Hole In 1 Drinks, Inc. v. Lajtay</i> , 2020 USPQ2d 71345 (TTAB 2020); <i>Schiedmayer Celesta GmbH v. Piano Factory Group, Inc. and Sweet 16 Musical Properties, Inc.</i> , 2019 USPQ2d 341894 (TTAB 2019)
704.12(a)	Note 2: Add <i>Ricardo Media Inc. v. Inventive Software, LLC</i> , 2019 USPQ2d 311355 (TTAB 2019); <i>M/S R.M. Dhariwal (HUF) 100% EOU v. Zarda King Ltd. and Global Technology & Trade Marks Ltd.</i> , 2019 USPQ2d 149090 (TTAB 2019)
704.12(b)	Note 3: Add <i>Performance Open Wheel Racing, Inc. v. United States Auto Club Inc.</i> , 2019 USPQ2d 208901 (TTAB 2019); <i>Threshold.TV Inc. v. Metronome Enters. Inc.</i> , 96 USPQ2d 1031 (TTAB 2010)
704.14	Note 7: Add <i>Anheuser-Busch, Inc. v. Major Mud & Chemical Co.</i> , 221 USPQ 1191 (TTAB 1984)
705	<p>Note 4: Add <i>Hanscomb Consulting, Inc. v. Hanscomb Ltd.</i>, 2020 USPQ2d 10085 (TTAB 2020), <i>Empresa Cubana Del Tabaco v. General Cigar Co.</i>, 2019 USPQ2d 227680, (TTAB 2019)</p> <p>Note 5: Add <i>Milwaukee Electric Tool Corp. v. Freud America, Inc.</i>, 2019 USPQ2d 460354 (TTAB 2019), <i>Motion Inc. v. Danfoss A/S</i>, 49 USPQ2d 1628, 1629 n.2 (TTAB 1998)</p>
707.01	<p>Note 3: Add <i>Optimal Chemical Inc. v. Srills LLC</i>, 2019 USPQ2d 338409 (TTAB 2019)</p> <p>Note 5: Add <i>Spiritline Cruises LLC v. Tour Management Services, Inc.</i>, 2020 USPQ2d 48324 (TTAB 2020), <i>Hanscomb Consulting, Inc. v. Hanscomb Ltd.</i>, 2020 USPQ2d 10085 (TTAB 2020), <i>AT&T Mobility LLC v. Thomann</i>, 2020 USPQ2d 53785 (TTAB 2020), <i>Ricardo Media Inc. v.</i></p>

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
	<i>Inventive Software, LLC</i> , 2019 USPQ2d 311355 (TTAB 2019), <i>M/S R.M. Dhariwal (HUF) 100% EOU v. Zarda King Ltd. and Global Technology & Trade Marks Ltd.</i> , 2019 USPQ2d 149090 (TTAB 2019), <i>Norris v. PAVE: Promoting Awareness, Victim Empowerment</i> , 2019 USPQ2d 370880 (TTAB 2019), <i>Double Coin Holdings Ltd. v. Tru Development</i> , 2019 USPQ2d 377409 (TTAB 2019), <i>Pierce-Arrow Society v. Spintek Filtration, Inc.</i> , 2019 USPQ2d 471774 (TTAB 2019), <i>Milwaukee Electric Tool Corp. v. Freud America, Inc.</i> , 2019 USPQ2d 460354 (TTAB 2019), <i>Hunt Control Systems Inc. v. Koninklijke Philips Elecs. N.V.</i> , 98 USPQ2d 1558 (TTAB 2011), <i>Harris v. Rivera</i> , 454 U.S. 339, 346 (1981)
707.02(b)(1)	Note 1: Add <i>Optimal Chemical Inc. v. Srills LLC</i> , 2019 USPQ2d 338409 (TTAB 2019)
707.03(a)	Note 2: Add <i>Spiritline Cruises LLC v. Tour Management Services, Inc.</i> , 2020 USPQ2d 48324 (TTAB 2020)
707.03(b)(1)	Note 1: Add <i>Hole In 1 Drinks, Inc. v. Lajtay</i> , 2020 USPQ2d 71345 (TTAB 2020); <i>Wirecard AG c. Striatum Ventures B.V.</i> , 2020 USPQ2d 10086 (TTAB 2020); <i>M/S R.M. Dhariwal (HUF) 100% EOU v. Zarda King Ltd. and Global Technology & Trade Marks Ltd.</i> , 2019 USPQ2d 149090 (TTAB 2019); <i>Robinson v. Hot Grabba Leaf, LLC</i> , 2019 USPQ2d 149089 (TTAB 2019)
707.03(b)(2)	Note 4: Add <i>Empresa Cubana Del Tabaco v. General Cigar Co.</i> , 2019 USPQ2d 227680 (TTAB 2019)
707.03(c) On	Notes 8, 13: Add <i>Spiritline Cruises LLC v. Tour Management Services, Inc.</i> , 2020 USPQ2d 48324, *4 (TTAB 2020) Note 9: Add <i>Spiritline Cruises LLC v. Tour Management Services, Inc.</i> , 2020 USPQ2d 48324, *4 (TTAB 2020); <i>Milwaukee Electric Tool Corp. v. Freud America, Inc.</i> , 2019 USPQ2d 460354 (TTAB 2019); <i>M/S R.M. Dhariwal (HUF) 100% EOU v. Zarda King Ltd. and Global Technology & Trade Marks Ltd.</i> , 2019 USPQ2d 149090 (TTAB 2019) added to Note 9. Note 17: Add <i>Double Coin Holdings Ltd. v. Tru Development</i> , 2019 USPQ2d 377409 (TTAB 2019); <i>Norris v. PAVE: Promoting Awareness, Victim Empowerment</i> , 2019 USPQ2d 370880 (TTAB 2019); <i>Pierce-Arrow Society v. Spintek Filtration, Inc.</i> , 2019 USPQ2d 471774 (TTAB 2019); <i>Andrusiek v. Cosmic Crusaders LLC</i> , 2019 USPQ2d 222984 (TTAB 2019)
707.04	Note 3: Add <i>Double Coin Holdings Ltd. v. Tru Development</i> , 2019 USPQ2d 377409 (TTAB 2019); <i>Norris v. PAVE: Promoting Awareness, Victim Empowerment</i> , 2019 USPQ2d 370880 (TTAB 2019); <i>Pierce-Arrow Society v. Spintek Filtration, Inc.</i> , 2019 USPQ2d 471774 (TTAB 2019); <i>Andrusiek v. Cosmic Crusaders LLC</i> , 2019 USPQ2d 222984 (TTAB 2019) added to Note 3. Note 8: Add <i>Spiritline Cruises LLC v. Tour Management Services, Inc.</i> , 2020 USPQ2d 48324 (TTAB 2020)
	CHAPTER 800
801.01	2 para., sentence before Note 4: clarify language

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
	Note 1: Add <i>Hole In 1 Drinks, Inc. v. Michael Lajtay</i> , 2020 USPQ2d 10020, at *2 (TTAB 2020)
801.03	6th para., line 7: add information about citation to non-precedential cases Confidential Information subsection: clarifying language before Note 14 Note 3: Add <i>Hole In 1 Drinks, Inc. v. Michael Lajtay</i> , 2020 USPQ2d 10020, at *2 (TTAB 2020)
	CHAPTER 900
901.01	1st para.: New Note 1. Note 1: Add <i>Snyder’s-Lance , Inc., v. Frito-Lay North America</i> , 414 F. Supp. 3d 822, 2019 USPQ2d 401574, at *4, *7 (W.D.N.C.); <i>Gillette Co. v. “42” Products Ltd.</i> , 435 F.2d 1114, 168 USPQ 197, 199-200 (9th Cir. 1970) Note 2: Add <i>Jean Alexander Cosmetics, Inc. v. L’Oreal USA, Inc.</i> , 458 F.3d 244 (3rd Cir. 2006); <i>Princeton Vanguard, LLC v. Frito-Lay North America</i> , 2019 USPQ2d 401574 (W.D.N.C. 2019); <i>RxD Media, LLC v. IP Application Development LLC</i> , 377 F. Supp. 3d 588 (E.D. Va. 2019); <i>Combe Inc. v. Dr. August Wolff GmbH & Co.</i> , 382 F. Supp. 3d 429 (E.D. Va. 2019) Note 5: Add <i>Robinson v. Hot Grabba Leaf, LLC</i> , 2019 USPQ2d 149089, at *5 (TTAB); <i>In re Ocean Technology, Inc.</i> , 2019 USPQ2d 450686, *5 (TTAB 2019)
901.02(a)	9th para.: New, regarding waiver of issue on appeal and corresponding new Note 10. Notes 2 and 4: Add <i>AT&T Mobility LLC v. Thomann</i> , 2020 USPQ2d 53785 (TTAB 2020) Note 3: Add <i>Fred Beverages, Inc. v. Fred’s Capital Management Co.</i> , 605 F.3d 963, 94 USPQ2d 1958 (Fed. Cir. 2010) Note 6: Add <i>Princeton Vanguard, LLC v. Frito-Lay North America</i> , 2019 USPQ2d 401574 (W.D.N.C 2019); <i>Truck-Lite Co., LLC v. Grote Industries</i> , 2019 USPQ2D 119235,*9 (W.D.N.Y. 2019). Note 10: Add <i>Hylete LLC v. Hybrid Athletics, LLC</i> , 931 F.3d 1170, 2019 USPQ2d 285253, at *3-4 (Fed. Cir. 2019)
901.02(b)	Note 2: Add <i>RxD Media, LLC v. IP Application Development LLC</i> , 125 USPQ2d 1801 (TTAB 2018); <i>Kraft Group LLC v. William A. Harpole</i> , 90 USPQ2d 1837 (TTAB 2009)
902.01	2d para.: delete reference to certificate of transmission 3rd para.: change “Other Motions/Papers” to “Review of Order or Decision of the Board”; add sentence referencing TBMP § 903.01.
902.02	4th para.: delete reference to certificate of transmission Note 3: Add <i>RxD Media, LLC v. IP Application Development LLC</i> , 125 USPQ2d 1801 (TTAB 2018).
902.03	2d para.: Add new Note 2 Note 1: Add <i>Princeton Vanguard, LLC v. Frito-Lay North America</i> , 2019 USPQ2d 401574 (W.D.N.C 2019) Note 2: Add 37 C.F.R. § 2.145(b)(2), 37 C.F.R. § 2.145(d)(2)
902.04	1st para: delete reference to certificate of transmission.

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
903.01	Rewrite last 2 lines for clarity
903.02	Note 4 Add Fed. R. Civ. P. 4(i)
903.04	2d para., line 11: change “two months” to “sixty-three days” Note 4: Add <i>RxD Media, LLC v. IP Application Development LLC</i> , 125 USPQ2d 1801 (TTAB 2018).
903.06	Note 1: Add <i>Princeton Vanguard, LLC v. Frito-Lay North America</i> , 2019 USPQ2d 401574 (W.D.N.C 2019).
903.07	1st para.: delete “expenses for personnel time spent in defense of the action” and add clarifying language Note 1 Add Please Note explanation about <i>Peter v. NantKwest, Inc.</i> , ___U.S.___, 140 S. Ct. 365, 2019 USPQ2d 474054, at *7 (2019); <i>Sandvik Aktiebolag v. Samuels</i> , No. 89-3127-LFO, 1991 WL 25774 (D.D.C. Feb. 7, 1991); delete <i>Shammas v. Focarino</i> , 784 F.3d 219, 224 (4th Cir. 2015).
904.02	3d para., line 4: Add “district”
905	37 C.F.R. § 2.146(a): updated 37 C.F.R. § 2.147: added 1st para.: Add name of Section to TBMP reference Last para.: Add a statement related to filing petitions to cancel on 5th anniversary in paper under 37 C.F.R. § 2.147(b)(1).
906.01	8th para., lines 4 & 5: Add “whether preclusion applies...” “Collateral estoppel effect”: reworded for clarity Note 2: Add <i>RxD Media, LLC v. IP Application Development LLC</i> , 377 F. Supp. 3d 588 (E.D. Va. 2019); <i>Combe Inc. v. Dr. August Wolff GmbH & Co.</i> , 382 F. Supp. 3d 429 (E.D. Va. 2019); <i>Truck-Lite Co., LLC v. Grote Industries</i> , 2019 USPQ2D 119235, (W.D.N.Y. 2019); <i>Belmora LLC v. Bayer Consumer Care AG</i> , 338 F.Supp. 3d 477 (E.D. Va. 2018) Notes 3, 4, 5 and 7: Add <i>RxD Media, LLC v. IP Application Development LLC</i> , 377 F. Supp. 3d 588 (E.D. Va. 2019); <i>Belmora LLC v. Bayer Consumer Care AG</i> , 338 F. Supp. 3d 477 (E.D. Va. 2018) Note 9: Add <i>Fred Beverages, Inc. v. Fred’s Capital Management Co.</i> , 605 F.3d 963, 94 USPQ2d 1958 (Fed. Cir. 2010) Notes 11, 26 and 28: Add <i>Hylete LLC v. Hybrid Athletics, LLC</i> , 931 F.3d 1170, 2019 USPQ2d 285253 (Fed. Cir. 2019) Note 27: Add <i>Levi Strauss & Co. v. Abercrombie & Fitch Trading Co.</i> , 719 F.3d 1367,107 USPQ2d 1167 (Fed. Cir. 2013) Note 31: Add <i>V.V.V. & Sons Edible Oils Limited v. Meenakshi Overseas, LLC</i> 946 F.3d 542, 2019 USPQ2d 494448, (9th Cir. 2019); <i>CSL Silicones Inc. v. Midsun Group Inc.</i> 170 F. Supp. 3d 304, 318-19 & 318 n.12, (D. Connecticut 2016); Note 32: Add <i>Beasley v. Howard</i> , 2020 USPQ2d 7300, *5 (D.N.J. 2020); Note 33: Add <i>Jean Alexander Cosmetics, Inc. v. L’Oreal USA, Inc.</i> , 458 F.3d 244, 80 USPQ2d 1470 (3rd Cir. 2006); <i>Treadwell Original Drifters, LLC v. Original Drifters, Inc.</i> , No. 1:15-cv-580 2016 WL 5899289 (E.D. Va. Jan. 28, 2016).
	CHAPTER 1000
1001	37 C.F.R. § 2.146(a)(4): updated language

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
1002	37 C.F.R. § 2.146(a)(4): updated language 4th para., 1st sentence: reworded for clarity and accuracy 5th para., 2d sentence: updated for accuracy; new final sentence
	CHAPTER 1100
1108	Note 2: Add <i>Hanscomb Consulting, Inc. v. Hanscomb Ltd.</i> , 2020 USPQ2d 10085 (TTAB 2020)
1109.01	Sample trial schedules: dates updated
	CHAPTER 1200
1201.01	Note 6: Add <i>In re National Ass'n of Veterinary Technicians of America, Inc.</i> , 2019 USPQ2d 269108, * 2, n.11 (TTAB 2019)
1202.01	New last sentence: remind applicants to notify TTAB of any other pending applications
1203.02(f)	1st para., 2d sentence: add final clause 2d para.: new final sentence
1203.02(g)	Note 1: Add <i>In re Katch, LLC</i> , 2019 USPQ2d 233842, *1-2 (TTAB 2019); <i>In re Rainier Enterprises, LLC</i> , 2019 USPQ2d 463361, *2-3 (TTAB 2019)
1207.01	Note 1: change reference format to separate paragraphs - those before 2000 and those in or after 2000 Add <i>In re ADCO Industries – Technologies, L.P.</i> , 2020 USPQ2d 53786, * 2 (TTAB 2020)
1207.05	Note 1: Add <i>In re Yarnell Ice Cream</i> , 2019 USPQ2d 265039, *3 (TTAB 2019)
1208	Note 1: Add <i>But see In re Hikari Sales USA, Inc.</i> , 2019 USPQ2d 111514 (TTAB 2019)
1208.01	Note 5: Add <i>In re Odd Sox LLC</i> , 2019 USPQ2d 370879, * 5-6 (TTAB 2019) and <i>But see In re TracFone Wireless, Inc.</i> , 2019 USPQ2d 222983, * 3, n.7 (TTAB 2019)
1208.01	Note 6: Add <i>In re Virtual Independent Paralegals, LLC</i> , 2019 USPQ2d 111512, *1 (TTAB 2019)
1208.03	Added the following sentence at the end of the last full paragraph of the section following [Note 30]: In addition, the Board will consider U.S. patents and patent applications obtained from the USPTO electronic patent database as evidence, where appropriate. [Note 31].
1208.03	Note 4: Add <i>In re ADCO Industries – Technologies, L.P.</i> , 2020 USPQ2d 53786, * 2 (TTAB 2020)
1208.03	New note 31: Added: <i>In re Om n iome, Inc.</i> , 2020 USPQ2d 3222, *4 (TTAB 2020)
1208.04	Notes 1 & 3: change reference format to separate paragraphs - those before 2000 and those in or after 2000
1208.05	1st para.: insert the following as the second sentence: Additionally, an applicant's patent or patent application may also be considered. [Note 2] New Note 2: <i>In re Omniome, Inc.</i> , 2020 USPQ2d 3222, *4 (TTAB 2020); and renumbered subsequent notes in section accordingly

TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

TBMP Section:	Nature of Change:
1209.04	1st para.: modify to clarify difference between request for reconsideration and request for remand based on time since issuance of final Office Action
1210	Note 1: add clarifying language about signature requirement for an abandonment
1214	New last sentence: remind applicants to notify TTAB of any other pending applications
1217	Note 3: Add <i>In re ADCO Industries – Technologies, L.P.</i> , 2020 USPQ2d 53786, * 2 (TTAB 2020); <i>In re Ocean Technology, Inc.</i> , 2019 USPQ2d 450686, * 1-3 (TTAB 2019)
1217	Note 5: Add <i>In re Katch, LLC</i> , 2019 USPQ2d 233842 (TTAB 2019)