Attachment C

INDEX TO CHANGES

June 2015

<table>
<thead>
<tr>
<th>TBMP Section:</th>
<th>Nature of Change:</th>
</tr>
</thead>
<tbody>
<tr>
<td>THROUGHOUT MANUAL</td>
<td>Spacing, punctuation and formatting corrections as needed for consistency. Curly quotes substituted for straight quotes “E-mail” changed to “email” 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 Citations to McCarthy’s checked and year updated (2015). (McCarthy is referenced only in Chapters 300 and 600) Citations to Wright &amp; Miller Federal Practice and Procedure (FPP) checked and year updated (2014). (Referenced in Chapters 300, 400, 500, 700) Check, and updates 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 Change “Trademark Examining Operation” to “Trademark Operation.” Delete reference to TMEO</td>
</tr>
<tr>
<td>CHAPTER 100</td>
<td></td>
</tr>
<tr>
<td>Chapter 100 TOC</td>
<td>111: Changed title from EXPRESS MAIL PROCEDURE to PRIORITY MAIL EXPRESS ® PROCEDURE 111.02: REQUIREMENTS FOR PRIORITY MAIL EXPRESS 101.01</td>
</tr>
</tbody>
</table>
6th para: Changed reference to Express Mail to Priority Mail Express®
7th para: Add sentence
Note 2: Add *Hunter Industries, Inc. v. Toro Co.*; renumbered other notes

107 37 CFR § 2.195: Changed Express Mail to Priority Mail Express®
2d Address: Update Addressee

108 1st para: Added more information about contents of receipts; new [Note 1], remaining notes renumbered
Note 1: Add *Weider Publications, LLC v. D&D Beauty Care Co.*; remaining note renumbered

109 37 CFR § 2.195 & body of section: Changed Express Mail to Priority Mail Express®

110.02 Updated Addressee
110.03 Updated Addressee

110.09 4th para: Changed reference from Express Mail to Priority Mail Express®
6th para: New; new [Note 2] & [Note 3]

110.09(a) Changed reference from Express Mail to Priority Mail Express®
110.09(c)(2) 3d para: Clarifying language Added
110.09(c)(2) Note 3: Add *Weider Publications, LLC v. D&D Beauty Care Co.* and *Alcatraz Media, Inc. v. Chesapeake Marine Tours Inc. dba Watermark Cruises*

110.09(d) 2d para: correct "TBMP § 2.113” to TBMP § 113”

111 Changed Title to Priority Mail Express®

111.01 Replace the entire 37 CFR § 2.198
Changed references from Express Mail to Priority Mail Express®
Note 2: Add “Please Note” information

111.02 Title & body: Changed references from Express Mail to Priority Mail Express®
2d para: Add clarifying language

111.03 Changed references from Express Mail to Priority Mail Express®

113 37 CFR § 2.119: updated subsections (4) and 6(c) by Changing references from Express Mail to Priority Mail Express®

113.02 Delete outdated information
113.04 Changed references from Express Mail to Priority Mail Express®

113.05 Throughout: Changed references from Express Mail to Priority Mail Express®
3d para: Add X-ref to TBMP § 801.02

114.06 2d para: Add new last sentence; new [Note 1]; renumber remaining note
New Note 1: Add *Birlinn Ltd. v. Steward*; and discussion in text second paragraph; renumber remaining note

116.02 37 CFR § 2.19(b): update reference from 10.40 to 11.116
Add clarifying language

117.03 Note 2: correct reference to 37 CFR § 2.18 by deleting (d)

117.08 Add new last sentence; new [Note 3]; new internal cross reference
<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>118.01</td>
<td>Added USPTO’s website link and WIPO link</td>
</tr>
<tr>
<td>119.03</td>
<td>1st para: Information updated and clarified</td>
</tr>
<tr>
<td>120.02</td>
<td>3d para: Additional information provided</td>
</tr>
<tr>
<td>120.03</td>
<td>2d para: Removed first sentence</td>
</tr>
<tr>
<td>121</td>
<td>Note 2: URL updated</td>
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</table>

**CHAPTER 200**

<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Changes</th>
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<tbody>
<tr>
<td>202.01</td>
<td>Chart: correct CFR references</td>
</tr>
<tr>
<td>203.01(a)</td>
<td>Chart: correct CFR references</td>
</tr>
<tr>
<td>203.01(b)</td>
<td>1st &amp; 2d paras: Add clarifying language</td>
</tr>
<tr>
<td>203.03</td>
<td>Para 1, first sentence: Add cross reference to TBMP § 114.06</td>
</tr>
<tr>
<td></td>
<td>Note 3: Add <em>Birlinn Ltd. v. Stewart</em></td>
</tr>
<tr>
<td>203.04</td>
<td>Last sentence: delete redundant language</td>
</tr>
<tr>
<td>203.05</td>
<td>2d para, last sentence: delete outdated information</td>
</tr>
<tr>
<td>207.01</td>
<td>Chart: correct CFR references</td>
</tr>
<tr>
<td>205</td>
<td>1st para: clarify language</td>
</tr>
<tr>
<td>208</td>
<td>Para 2, first sentence: Add cross reference to TBMP §§ 114 and 203.03</td>
</tr>
<tr>
<td>210</td>
<td>3d para: modify run-on sentence to two sentences</td>
</tr>
<tr>
<td>212.01</td>
<td>Para 3, third sentence: Add cross reference to TBMP § 203.03</td>
</tr>
<tr>
<td>216</td>
<td>5th para: clarifying language</td>
</tr>
<tr>
<td>218</td>
<td>4th para: clarifying language</td>
</tr>
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</table>

**CHAPTER 300**

<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Changes</th>
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</thead>
<tbody>
<tr>
<td>301.01</td>
<td>2d &amp; 3d paras: clarifying language added</td>
</tr>
<tr>
<td></td>
<td>Note 1: correct statutory reference</td>
</tr>
<tr>
<td></td>
<td>Note 3: correct statutory references; add new statutory reference</td>
</tr>
<tr>
<td></td>
<td>Note 5: Add more statutory references</td>
</tr>
<tr>
<td>301.03</td>
<td>Note 1: correct statutory reference</td>
</tr>
<tr>
<td>305.01</td>
<td>1st &amp; 2d paras: clarifying language added</td>
</tr>
<tr>
<td>305.02</td>
<td>1st &amp; 3d paras: clarifying language added</td>
</tr>
<tr>
<td>306.01</td>
<td>5th para: clarifying language added</td>
</tr>
<tr>
<td>306.04</td>
<td>4th para: correction from Trademark Act to TBMP for a reference</td>
</tr>
<tr>
<td></td>
<td>Note 1: after “Please Note,” informative wording added</td>
</tr>
<tr>
<td>309.01</td>
<td>Note 1: Add <em>Hunter Industries, Inc. v. Toro Co.</em></td>
</tr>
<tr>
<td>309.02(a)</td>
<td>1st para, fourth sentence: Add explanation for paper mailing “Registrant information in petition to cancel”**: information added</td>
</tr>
<tr>
<td>309.02(b)</td>
<td>1st para: correct 37 CFR § 10.1(c) to 37 CFR § 11.1</td>
</tr>
<tr>
<td></td>
<td>Note 1: Add <em>Birlinn Ltd. v. Stewart; TBMP § 114.06</em></td>
</tr>
<tr>
<td>309.02(c)(2)</td>
<td>3d &amp; 7th paras: information added</td>
</tr>
<tr>
<td></td>
<td>8th para: correction to terminology</td>
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<td></td>
<td>Note 19: Add 37 CFR § 2.118</td>
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<td>309.03(a)(1)</td>
<td>Note 4: Add <em>Prosper Business Development Corp. v. International Business Machines, Corp.</em></td>
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<tr>
<td>309.03(a)(2)</td>
<td>Note 3: Add <em>Johnson v. City of Shelby</em></td>
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</table>
TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE

309.03(b)  Note 2: Add *NSM Resources Corp.* v. *Microsoft*

309.03(c)  Note 5: Add *United Global Media Grp., Inc.* v. *Tseng; Harry Winston, Inc.* v. *Bruce Winston Gem Corp*
Note 7: update *Alcatraz Media Inc.* v. *Chesapeake Marine Tours Inc.*
Note 13: Add *Blackhorse v. Pro-Football, Inc.; In re Tam*
Note 17: Add *Dragon Bleu (SARL) v. VENM, LLC*
Note 21: Add *Conoly v. Conoly O’Connor NYC LLC; delete Ballet Tech Foundation, Inc. v. The Joyce Theater Foundation, Inc.*
Note 27: delete *Ballet Tech Foundation, Inc. v. The Joyce Theater Foundation, Inc.*
Note 31: Note 31: update *Bayer Consumer Care AG v. Belmora LLC*
Note 33: Add *Nationstar Mortgage LLC v. Ahmad; Dragon Bleu (SARL) v. VENM, LLC*

309.03(d)  Notes 6 & 16: Add *Board of Regents, University of Texas System v. Southern Illinois Miners*

309.04  4th & 8th & 12th paras: clarifying language & sentence restructuring
Note 1: Add *Birlinn Ltd. v. Stewart*

310.01  Para 8, sixth sentence: Clarify Board notification procedures regarding designated representatives for extensions of protection to the United States

310.03(b)  2d para: TBMP cross reference added


311.02(b)  Last para: correction to statutory reference
Note 22: Add *Board of Regents, University of Texas System v. Southern Illinois Miners, LLC*

311.02(c)  Note 1: update *Productos Lacteos Tocumbo S.A. de C.V.* v. *Paletaria La Michoacana, Inc.*

312.01  Corrected reference to TBMP 401.02 in “Please note”

312.03  Added reference to TBMP 312.03 paragraph 2
Notes 3 & 6: introductory signal changed

313.01  Last para, following [Note 12.]: TBMP cross reference added

313.05  2d para: delete redundant TBMP cross reference

314  4th para: Add TBMP cross reference
Note 3: corrected pinpoint cite an added parenthetical *United States Olympic Committee v. Bata Shoe Co.*
Note 4: Added parentheticals to these cases: *Hilson Research Inc ; Trans Union Corp.* v. *Trans Leasing International, Inc.; J.B. Wil liams Co.* v.
| 318 | Note 1: Add NSM Resources Corp. v. Microsoft Corp. |

### CHAPTER 400

**401.01** Quotation to Board’s institution order amended
Added new sentence after [Note 13] Added new sentence end of paragraph 3 Added new paragraphs 4 and 5 Added last paragraph
Note 1: Added 37 CFR § 2.120(a)(1) Note 7: Added pinpoint cite to Boston Red Sox Baseball Club LP v. Chaveriat Note 9: Added pinpoint cite to Promgirl, Inc. v. JPC Co. |

**401.03** Added new material after [Note 1] Added new [Note 2] Renumbered Notes 2-16 to notes 3-17 Added new notes 18-25 Added new text, 2 paragraphs, after renumbered note 16, now note 17 Added “and to the duty to supplement” and “TBMP § 408” to second to last sentence at end of section before notes New note 2: Fed. R. Evid. 702. See also Notes of Advisory Committee on Proposed Rules. See e.g., McDonald's Corp. v. McSweet, LLC (“While
a party is not required to employ an expert to be able to direct criticisms to
an opposing party’s survey, having a qualified expert confirm that the
criticisms reflect the relevant standards employed in the survey field would
lend additional weight to such criticisms.”; *Alcatraz Media, Inc. v.
Chesapeake Marine Tours, Inc.* (witness qualified as an expert in the field
of travel writing and journalism based on professional experience as a travel
writer and editor)

Renumbered note 5 (formerly note 4), added: *See also* Fed. R. Civ. P
26(b)(4)(D); *Ate My Heart, Inc. v. GA GA Jeans Ltd.* (discussing the
differences between testifying and consulting experts in connection with
redesignation of a testifying expert as a consulting expert)

Renumbered note 17 (formerly note 16) Added: *See e.g., Entravision
Communications Corp. v. Liberman Television LLC* (after balancing
relevant factors, substitution of witness and expert report after expert
disclosure deadline due to witness unavailability found to be substantially
justified and harmless under circumstances of the case); *Gemological
Institute of America, Inc. v. Gemology Headquarters International, LLC*
(after balancing relevant factors, untimely disclosure of expert opinion not
substantially justified or harmless under circumstances of case)

New note 18: *Ate My Heart, Inc. v. GA GA Jeans Ltd.*

New note 19: *Entravision Communications Corp. v. Liberman Television
LLC*

New Note 20: *Entravision Communications Corp. v. Liberman Television
LLC*

New Note 21: *Ate My Heart, Inc. v. GA GA Jeans Ltd.*


New Note 23: Fed. R. Civ. P. 37(c)(1); *Entravision Communications Corp.
v. Liberman Television LLC; Gemological Institute of America, Inc. v.
Gemology Headquarters Int'l, LLC*

New Note 24: Fed. R. Civ. P. 26(e)(1)(A); *Gemological Institute of
America, Inc. v. Gemology Headquarters Int'l, LLC*

New Note 25: Fed. R. Civ. P. 26(e)(2); *Entravision Communications Corp.
v. Liberman Television LLC; Gemological Institute of America, Inc. v.
Gemology Headquarters Int'l, LLC*

402.01

Paragraph 1, third sentence deleted “certain types”

Note 1: Added *FMR Corp. v. Alliant Partners*

Note 2: Added *The Phillies v. Philadelphia Consolidated Holding Corp.*

Note 3: Added *The Phillies v. Philadelphia Consolidated Holding Corp.*

Note 4: Added *FMR Corp. v. Alliant Partners; Dow Corning Corp. v. The
Doric Corp.*

Note 5: Added .. *Domond v. 37.37, Inc.*

Note 9: Added *Domond v. 37.37, Inc.*

Note 10: Added parentheticals to these cases: *Tektronix, Inc. v. Tek

402.02

Note 4: Added parentheticals to *See also Sunkist Growers, Inc. v. Benjamin
Ansehl Co.; Varian Associates v. Fairfield-Noble Corp.; J.B. Williams
Co. v. Pepsodent G.m.b.H.; Ortho Pharmaceutical Corp. v. Schattner;*
<table>
<thead>
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<th>Changes</th>
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<tr>
<td>403.02</td>
<td>Note 4: Add parenthetical <em>Smith International, Inc. v. Olin Corp.; Rhone-Poulenc Industries v. Gulf Oil Corp.</em></td>
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| 403.03  | Note 2: Added parenthetical *Fort Howard Paper Co. v. C.V. Gambina Inc.*  
Note 6: Add parenthetical *H.D. Lee Co. v. Maidenform, Inc.*  
| 403.04  | Note 5: Add parenthetical *Miss America Pageant v. Petite Productions, Inc.; Neville Chemical Co. v. Lubrizol Corp.*  
Note 7: Add parenthetical *Boston Red Sox Baseball Club LP v. Chaveriat Para. 1 and 4, modify language slightly* |
| 404.03(a)(2) | Para. 1 and 4, modify language slightly  
Note 4: Add *Ate My Heart v. GA GA Jeans* and Add parenthetical for existing case |
| 404.03(c)(2) | Para. 2: update cite to Black’s Law Dictionary  
Paras. 7-9, 14: update language slightly |
| 404.03(e) | Para 1 & 2: re-written and clarified |
| 404.04  | Paras. 1 and 2: modify language slightly |
| 404.06(a) | Heading: update language slightly  
Note 6: update language slightly |
| 404.06(b) | Note 7: Add parenthetical for existing case |
| 404.06(c) | Para. 3: new |
| 404.07(b) | Note 2: Add reference to 37 CFR § 2.124(d)(2) |
| 404.07(e) | Para. 4: Add sentence referencing TBMP § 310.03(b) |
| 406.04(b) | Note 11: Added parenthetical to *Electronic Industries Association v. Potega* and removed cf. signal |
| 408.01  | Note 1: Added *Hot Tamale Mama…and More, LLC v. SF Investments, Inc.*  
Note 2: Added *Amazon Technologies Inc. v. Wax*  
New last paragraph. |
| 408.01(a) | New 5th paragraph  
Note 1: Added *Spier Wines (PTY) Ltd. v. Shepher*  
Note 6: Added *Ate My Heart, Inc. v. GA GA Jeans Ltd.*  
New Note 7: *Spier Wines (PTY) Ltd. v. Shepher*; remaining notes renumbered  
Notes 9 & 11: Added *Ate My Heart, Inc. v. GA GA Jeans Ltd.* |
408.01(c) Note 6: Added *Hot Tamale Mama…and More, LLC v. SF Investments, Inc.*; *Amazon Technologies Inc. v. Wax*
Note 7: Added *Hot Tamale Mama…and More, LLC v. SF Investments, Inc.*

408.03 New 3rd para.
New [Note 9]
Note 2: Added *Gemological Institute of America, Inc. v. Gemology Headquarters International; Alcatraz Media, Inc. v. Chesapeake Marine Tours, Inc.*
Note 9: *Gemological Institute of America, Inc. v. Gemology Headquarters International, LLC*

409 Note 1: Deleted *Ballet Tech Foundation Inc. v. Joyce Theater Foundation Inc.*

410 Note 9: Added *Domond v. 37.37, Inc.* and *Ate My Heart, Inc. v. GA GA Jeans Ltd.*

411.05 1st para: Added clarifying language, new [Note 3]
Note 1: Added *Electronic Industries Association v. Potega*
New Note 3: Added *Electronic Industries Association v. Potega*

412.01 Added “or that requests for admissions need not be answered” before [Note 16]
Note 5: Added *Hunter Indus., Inc. v. Toro Co.*
Note 9: Added *Couch/Braunsdorf Affinity, Inc. v. 12 Interactive, LLC*; subsequent history added: *General Mills Inc. v. Fage Dairy Processing Industry SA*
Note 16: Added *The Phillies v. Philadelphia Consolidated Holding Corp.*

412.01(a) New subsection: Proper Designation of Confidential Matter
412.01(b) New subsection: Challenging the Designation of Confidential Matter
412.01(c) New subsection: Over-designation: Improper designation of confidential filings with the Board

412.02(b) Added New Note 1: *Provisions for Protecting Confidentiality of Information Revealed During Board Proceeding, O.G. Notice (June 20, 2000); See Amazon Technologies Inc. v. Wax; renumbered Note 1 to Note 2; Note 2 to Note 3*

412.02(c) Delete outdated practice; add cross reference

412.02(d) Added information in (12)

412.03 Added new note 1; renumbered notes 1-3 to 2-4
Added note 1: *Sports Authority Michigan Inc. v. PC Authority Inc.*; added reference to O.G. Notice (June 20, 2000)
Note 3: Added parenthetical *Fort Howard Paper Co. v. C.V. Gambina Inc.*; added *S & L Acquisition Co. v. Helene Arpels Inc.*

412.04 Correct wording of 37 CFR 2.27(d)
Paragraph 1 Added preferred practice of setting out confidential information in brackets for unredacted version of confidential filing
Paragraph 2: delete [Note 5], renumber remaining notes
Paragraph 3 Added reference to TBMP § 110.09
Added new note 1; renumbered notes 1-7 to notes 2-8
Added New Note 1: *Turdin v. Trilobite, Ltd.; Blackhorse v. Pro-Football, Inc.*; renumbered notes 2-8
Note 3: Added Couch/ Braunsdorf Affinity, Inc. v. 12 Interactive, LLC; Swiss Watch International Inc. v. Federation of the Swiss Watch Industry
Note 5 deleted; renumbered; remaining notes renumbered

412.05 Revised
Note 1: deleted

412.06 Note 1: Added Domond v. 37.37, Inc.; The Phillies v. Philadelphia Consolidated Holding Corp.
Note 6: Added Cf. Hot Tamale Mama...and Moore, LLC v. SF Investments, Inc.; Amazon Technologies Inc. v. Wax

412.06(a) Added sentence at end of subsection and Note [14]
Added “please note”
Added to note 1: FMR Corp. v. Alliant Partners

412.06(b) Note 4: Domond v. 37.37, Inc.; The Phillies v. Philadelphia Consolidated Holding Corp.
Note 5: Added Domond v. 37.37, Inc.; amended parenthetical The Phillies v. Philadelphia Consolidated Holding Corp.

CHAPTER 500

501.01 Note 2: Added Board of Regents, University of Texas System v. Southern Illinois Miners, LLC; Harry Winston, Inc. v. Bruce Winston Gem Corp.; Inter IKEA Systems B.V. v. Akea, LLC

502.01 Note 4: Added Cf. Hunter Industries Inc. v. Toro Co.

502.02(b) Note 11: Added S & L Acquisition Co. v. Helene Arpels Inc.

502.02(c) Added new 4th paragraph
Add information to last paragraph

502.05 Note 1: Added NSM Resources Corp. v. Microsoft Corp.; General Mills Inc. v. Fage Dairy Processing Industries SA

502.06(a) 2d para: Add TBMP cross references
Revised to remove references to petitions to the Director

503.01 Note 5: Added Cf. NSM Resources Corp. v. Microsoft Corp.

503.02 Added sentence at end of first paragraph
Added new Note 4, Ashcroft v. Iqbal. See, e.g., Dragon Bleu (SARL) v. VENM, LLC; Covidien LP v. Masimo Corp.
Renumbered Notes 4-6 to 5-7
Note 4: Added Dragon Bleu (SARL) v. VENM, LLC

503.03 Notes 2 and 4: Added Dragon Bleu (SARL) v. VENM, LLC

506.01 Note 1: Added Alcatraz Media, Inc. v. Chesapeake Marine Tours, Inc.

507.01 Notes 5 and 6: Added Prosper Business Development Corp. v. International Business Machines, Corp.
Note 7: Added *Prosper Business Development Corp. v. International Business Machines, Corp.*

Note 1: Added *Prosper Business Development Corp. v. International Business Machines, Corp.*

Note 1: Added *Board of Regents, University of Texas System v. Southern Illinois Miners, LLC; Conolty v. Conolty O’Connor NYC LLC*

Note 5: Added *Birlinn Ltd. v. Stewart*


Note 1: Added *Prosper Business Development Corp. v. International Business Machines, Corp.*


Note 3: Added parenthetical *Societe Des Produits Marnier Lapostolle v. Distillerie Moccia S.R.L.*

Note 4: corrected cite to WRIGHT & MILLER

Note 1: Added *NSM Resources Corp. v. Microsoft Corp.*

Note 9: Added *NSM Resources Corp. v. Microsoft Corp.*


Note 2: Added parenthetical National Blank Book Co. v. Leather Crafted Products

Note 1: Added parentheticals *Mason Engineering & Design Corp. v. Mateson Chemical Corp.; Arbrook, Inc. v. La Citrique Belge; Naamloze Vennootschap; Lone Star Manufacturing Co. v. Bill Beasley, Inc.; Davidson v. Instantype, Inc.; Pyco, Inc. v. Pico Corp.; Raker Paint*
Note 2: Added F.2d cite Huang v. Tzu Wei Chen Food Co.

513.01 Changed quotation of 37 CFR § 2.19(b) to reflect amendment from § 10.40 to 11.116
Paragraph 6 Added TBMP §§ 116.03 and 116.04
Note 5: Added parenthetical Pro-Cuts v. Schilz -Price Enterprises Inc.

513.02 Note 1: Added parenthetics Allstate Insurance Co. v. Healthy America Inc.; Little Caesar Enterprises Inc. v. Domino’s Pizza Inc.

514.01 Paragraph 8: Added TMEP § 1904.14
Note 5: Added Couture v. Playdom; added parenthetical Drive Trademark Holdings LP v. Inofin

514.03 Note 4: Added parentheticals Personnel Data Systems Inc. v. Parameter Driven Software Inc.; Flow Technology Inc. v. Picciano; Space Base Inc. v. Stadis Corp.
Note 5: Added parentheticals See Embarcadero Technologies Inc. v. RStudio Inc.; Space Base Inc. v. Stadis Corp.; See also Flow Technology Inc. v. Picciano

515 Note 4: Added parentheticals Wilderness Group, Inc. v. Western Recreational Vehicles, Inc.; Color Key Corp. v. Color 1 Associates, Inc.; Antillian Cigar Corp. v. Benedit Cigar Corp.

517 Added new notes 3 and 4, and 6 renumbered note 3 to note 5
Note 2: Added Alcatraz Media, Inc. v. Chesapeake Marine Tours, Inc.;
Added parenthetical Corporacion Habanos S.A. v. Guantanamera Cigars
Notes 3 & 4: Consolidated Foods Corporation v. Berkshire Handkerchief Co., Inc.
Note 6: Saint-Gobain Corp. v. Minnesota Mining and Manufacturing Co.

518 Note 9: Added parenthetical Harley-Davidson Motor Co. v. Pierce Foods Corp.


521 Note 2: Added Ate My Heart, Inc. v. GA GA Jeans Ltd.
Note 6: Added parenthetical Gaudreau v. American Promotional Events, Inc.
Note 11: Added Ate My Heart, Inc. v. GA GA Jeans Ltd.

522 Note 3: Added parenthetical Unicut Corp. v. Unicut, Inc.

Note 8: Added parenthetical La Maur, Inc. v. Bagwells Enterprises, Inc.

523.02 Added to paragraph 2 and new [Note 3]
Added new paragraph 3 and new [Note 4]
Renumbered note 3 as [Note 5]
Note 1: Added parenthetical Helene Curtis Industries, Inc. v. John H. Breck, Inc.
Note 2: Added Hot Tamale Mama…and More, LLC v. SF Investments, Inc.
| 523.03 | Note 3: Added parenthetical *Societa Per Azioni Chianti Ruffino Esportazione Vinicola Toscana v. Colli Spolentini Spoletoducale SCRL* Note 4: Added parenthetical *La Maur, Inc. v. Bagwells Enterprises, Inc.* |
| 524.04 | Note 1: Added *Watercare Corporation v. Midwesco -Enterprise, Inc.* |
| 527.01(e) | Note 2: Added subsequent history to *General Mills Inc. v. Fage Dairy Processing Industry SA* Note 3: Added *Alcatraz Media, Inc. v. Chesapeake Marine Tours, Inc.* |
| 527.01(f) | Note 2: Added *Hunter Indus., Inc. v. Toro Co.* |
| 527.02 | Note 1: Added *NSM Resources Corp. v. Microsoft Corp.*; *Central Manufacturing Inc. v. Third Millennium Technology Inc.* Note 2: *ITC Entertainment Group Ltd. v. Nintendo of America Inc.*; addition to parenthetical Note 4: Added *Central Manufacturing Inc. v. Third Millennium Technology Inc.* Note 5: Added *NSM Resources Corp. v. Microsoft Corp.*; added subsequent history *General Mills Inc. v. Fage Dairy Processing Industry SA* |
| 527.03 | Note 2: Added *NSM Resources Corp. v. Microsoft Corp.*; *Central Manufacturing Inc. v. Third Millennium Technology Inc.* |
| 528.01 | Last para: Add new sentence regarding partial summary judgment and Add new Note 21 Note 21: Add *SARL Corexco v. Webid Consulting Ltd. and Multisorb Tech., Inc. v. Pactiv Corp.* |
| 528.02 | Add new para to end and new Note 10 Note 10: Add *Cooper Technologies Co. v. Denier Electric Co.* |
| 528.05(a)(1) | Note 10: update citation for *Frito-Lay N. America, Inc. v. Princeton Vanguard, LLC* |
Add new para 3 and new Note 4
Renumber old Notes 4, 5 and 6 to new Notes 5, 6 and 7
Note 2: Add Conolty v. Conolty O’Connor NYC LLC; Chanel, Inc. v. Makarczyk; and Frito-Lay North America, Inc. v. Princeton Vanguard, LLC
New Note 8: Add Hunter Industries, Inc. v. Toro Co.

Add Federal Rule
Last para: Add “or flash drive” as clarification
Add new Note 6
Note 1: Add Ava Ruha Corp. v. Mother’s Nutritional Center, Inc.

Add 37 CFR § 2.122(e)
Note 2: update citation for Brooks v. Creative Arts by Calloway LLC

Note 8: Add Ava Ruha Corp. v. Mother’s Nutritional Center, Inc

Note 5: Add Prosper Business Development Corp. v. International Business Machines, Corp.

Note 1: Add Harry Winston, Inc. v. Bruce Winston Gem Corp. and McDonald’s Corp. v. McSweet, LLC

Note 1: Add FUJIFILM SonoSite, Inc. v. Sonoscape Co., Ltd, Hunter Industries, Inc. v. Toro Co. and Carefirst of Maryland Inc. v. FirstHealth of the Carolinas Inc.
Note 2: Add FUJIFILM SonoSite, Inc. v. Sonoscape Co., Ltd.
Note 3: Add United Global Media Group, Inc. v. Tseng
Note 4: Add FUJIFILM SonoSi te, Inc. v. Sonoscape Co., Ltd.

Paragraph 3 Added new last sentence, reference to TBMP § 413.01 and TBMP § 502.06(a)

Last para: Add new last sentence
Note 7: update citation for Productos Lacteos Tocumbo S.A. de C.V. v. Paleteteria La Michoacana Inc.

Para 1: Add new sentence and reference to new Notes 1 and 3; renumber former Note 1 to new Note 2
New Note 3: Add Wet Seal Inc. v. FD Management Inc. and Hard Rock Café International (USA) Inc. v. Elsea

Para 5: Add clarifying language
<table>
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<tr>
<th>Page</th>
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<tbody>
<tr>
<td>536</td>
<td>Paras 2 and 3: Add clarifying language</td>
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<td>539</td>
<td>Note 6: Add Lincoln National Corp. v. Anderson</td>
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<td>540</td>
<td>1st para: correct wording</td>
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<tr>
<td>541.01</td>
<td>Para 1: Add clarifying language</td>
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<tr>
<td>541.02</td>
<td>1st para: Add information</td>
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<tr>
<td>542</td>
<td>Last para: update information</td>
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<tr>
<td>544</td>
<td>Note 2: modify parenthetical information for Rolex Watch USA Inc. v. AFP Imaging Corp.</td>
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**CHAPTER 600**

602.01 | 37 CFR § 2.68(a): Add new last sentence  
3d para: Add new sentence before [Note 2] |

602.02(a) | 37 CFR § 2.172: Add new last sentence  
3d para: Delete now incorrect information  
Note 6: Delete Christiane E LLC v. International Expedition Inc.; add 37 CFR § 2.172 |

603  | 37 CFR § 2.68(a): Add new last sentence |

605.03(b) | Note 3: Corrected URL and citation to the International Bureau’s Guide to the International Registration of Marks under the Madrid Agreement and the Madrid Protocol |

**CHAPTER 700**

702.01 | Note 2: Add Domond v. 37.37, Inc.; add Hunter Industries, Inc. v. Toro Co.  
Note 4: Add Domond v. 37.37, Inc.  
Note 10: Add Hunter Industries, Inc. v. Toro Co.  
Note 15: rewrite parenthetical to Great Seats Inc.; Add Hunter Industries, Inc. v. Toro Co. |

702.04(a) | Note 1: Add Conolty v. Conolty O’Connor; Chanel, Inc. v. Makarczyk; Frito-Lay North America, Inc. v. Princeton Vanguard, LLC  
Note 3: delete Ballet Tech Foundation Inc. v. Joyce Theater Foundation Inc.  
Note 6: Add B&B Hardware, Inc. v. Hargis Industries, Inc. |

702.04(c) | Para 1, first sentence: Added new Note 1  
New Note 1: Add Frito-Lay North America, Inc. v. Princeton Vanguard, LLC |

Note 4: Add *Gemological Institute of America, Inc. v. Gemology Headquarters International, LLC*

Note 1: Add *Harry Winston Inc. v. Bruce Winston Gem Corp.; Inter IKEA Systems B.V. v. Akea, LLC; Board of Regents; University of Texas System v. Southern Illinois Miners, LLC; Blackhorse v. Pro-Football Inc.*

Note 1: Update subsequent history of *General Mills Inc. v. Fage Dairy Processing Industry SA*

Note 2: Update subsequent history of *General Mills Inc. v. Fage Dairy Processing Industry SA*

Note 6: Update subsequent history of *General Mills Inc. v. Fage Dairy Processing Industry SA*

Clarified wording regarding Board’s counting of days

Note 2: Add 37 CFR § 2.119


Note 4 Add *Ate My Heart v. GA GA Jeans*

1st & 2d paras: Clarified language

New [Note 9] & [Note 10]; renumber remaining notes

Note 9: Add *Hunter Industries, Inc. v. Toro Co.*

Note 10: Add *Alcatraz Media, Inc. v. Chesapeake Marine Tours, Inc.*

Note 11: Re-numbered original note 9 as note 11

1st & 3d paras: Add language regarding marking of material in confidential submissions and practice tips for confidential paper submissions

Last para: Add cross-reference to TBMP § 120.02 and TBMP § 412

Note 3: Update subsequent history of *General Mills Inc. v. Fage Dairy Processing Industry SA*

Note 7: Add *Couch/Braunsdorf Affinity, Inc. v. 12 Interactive, LLC*

Note 8: *Couch/Braunsdorf Affinity, Inc. v. 12 Interactive, LLC*

New Note 1

Note 1: Add *FUJIFILM SonoSite, Inc. v. Sonoscape Co., Ltd.*

Note 1: update citation for *Productos Lacteos Tocumbo S.A. de C.V. v. Paletteria La Michoacana Inc.*

Second to last paragraph: correct cross-reference to TBMP

Note 1: Add *United Global Media Group, Inc. v. Tseng*


Note 4: Add *United Global Media Group, Inc. v. Tseng*


Note 14: Add *United Global Media Group, Inc. v. Tseng and Sterling Jewelers Inc. v. Romance & Co.*

Para 4: slight change to wording in last sentence
Para 10: delete Note 6
Paras 11-12: renumber old Notes 7 and 8 to 6 and 7
Note 6: deleted and remaining notes renumbered

704.12(a) Note 2: Add *Blackhorse v. Pro-Football, Inc.*, update citation for *Productos Lacteos Tocumbo S.A. de C.V. v. Paletteria La Michoacana Inc.*, add pinpoint cite for *In re Red Bull GmbH* and clarify reference

704.12(b) Note 3: Add *In re Red Bull GmbH* and *University of Notre Dame du Lac v. J. C. Gourmet Food Imports Co.*

704.14 Notes 1 and 3: update order of case citations

Note 3: Add *Blackhorse v. Pro-Football Inc.*


707.02(b)(2) Note 1: Add *FUJIFILM SonoSite, Inc. v. Sonoscape Co., Ltd.*
Note 2: Add *United Global Media Group, Inc. v. Tseng*
Note 3: Add *FUJIFILM SonoSite, Inc. v. Sonoscape Co., Ltd.*
Note 4: Add *FUJIFILM SonoSite, Inc. v. Sonoscape Co., Ltd.*

707.02(c) Note 3: Add *FUJIFILM SonoSite, Inc v. Sonoscape Co., Ltd.*
Note 4: Add *McDonald’s Corp. v. McSweet, LLC*

707.03(b)(3) Note 2: Add *Entravision Communications Corp. v. Liberman Television LLC*
Note 3: update *Productos Lacteos Tocumbo S.A. de C.V. v. Paletteria La Michoacana Inc.*

707.03(c) Note 7: Add *Ava Ruha Corp. v. Mother’s Nutritional Center, Inc.*
Note 12: update *Productos Lacteos Tocumbo S.A. de C.V. v. Paletteria La Michoacana Inc.*

707.04 Note 5: update *General Mills Inc. v. Fage Dairy Processing Industry SA*

CHAPTER 800

801.01 1st para, second sentence: delete quotation marks
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<tr>
<td>802.01(a)</td>
<td>1st para: Add reference to clarify that 37 CFR 2.119(c) does not apply to briefing deadlines</td>
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<tr>
<td>801.02(b)</td>
<td>Note 2: Add reference to inapplicability of 37 CFR 2.119(c)</td>
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<td>801.02(e)</td>
<td>Note 1: Add reference to inapplicability of 37 CFR 2.119(c)</td>
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<td>801.03</td>
<td>7th para, third sentence: Add suggestion to include citations to TTABVUE 11th para, second sentence: Add suggestion to bracket confidential information in confidential briefs</td>
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<tr>
<td>802.03</td>
<td>2d &amp; 5th paras: Changed title of chief judge’s secretary to Board’s Hearing and Decision Specialist 2d para: Updated language regarding compatible technology for attendance of Board hearings via video connection</td>
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<td>802.08</td>
<td>3d para: Add language: When a hearing is in session, no one should be heard except for counsel making an argument or a judge</td>
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<td>803</td>
<td>5th para: Corrected Internet Address of Board’s e-FOIA database of decisions</td>
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<td>806</td>
<td>(1): changed “paper” to “submissions” (2), 2d (2), 2d (3): Updated practice regarding termination of proceedings including steps Board undertakes with bulky and confidential materials that are not submitted electronically, that are not able to be scanned; and that are scanned and for which the physical materials remain (4): Changed Trademark Examining Operation to Trademark Operation</td>
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**CHAPTER 900**

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<tr>
<td>903.02</td>
<td>3d para: Added language clarifying service requirements under Fed. R. Civ. P. 4(i)</td>
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<td>903.07</td>
<td>1st para: Added language clarifying the type of expenses to be paid by appellants under 15 U.S.C. § 1071(b)(3); Added language clarifying service requirements under Fed. R. Civ. P. 4(i) Note 1: Added Shammas v. Focarino</td>
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**CHAPTER 1000**: None

**CHAPTER 1100**

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<tr>
<td>1101.01</td>
<td>Para. 1 - moved [Note 1] Note 1: corrected order of citations</td>
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<td>1101.02</td>
<td>Note 4: Add Boi Na Braza, LLC v. Terra Sul Corp.</td>
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<td>1103.01(b)</td>
<td>Note 2: corrected order of citations; Add Boi Na Braza, LLC v. Terra Sul Corp.</td>
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<td>1103.01(d)(2)</td>
<td>Notes 1 &amp; 3: Add Boi Na Braza, LLC v. Terra Sul Corp.</td>
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<td>1103.01(f)</td>
<td>Note 1: change display of rule citation to conform to Marklogic</td>
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<td>1107</td>
<td>Para. 2, first sentence: update language slightly Para. 4, last sentence: modify language slightly</td>
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<td>1109</td>
<td>Para. 3: split run-on sentence into two sentences</td>
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<td>1109.01</td>
<td>3rd schedule – added table lines</td>
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<td>1113.01</td>
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<td>1114</td>
<td>Para. 2, first sentence: modify slightly</td>
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**CHAPTER 1200**

Throughout | Where appropriate, “submission” substituted for “paper” Chief Judge Secretary replaced by Hearing Officer |
| 1201.01 | Delete 37 CFR § 2.64; enter 37 CFR § 2.63 Notes 1, 2 & 6: replace 37 CFR § 2.64 with 37 CFR § 2.63 |
| 1201.02 | 4th para: clarify language |
| 1201.05 | Delete 37 CFR § 2.64; enter 37 CFR § 2.63; update 37 CFR § 2.146(a) |
| 1202.02 | 4th para: delete [Note 8], renumber remaining notes Note 8 deleted, remaining notes renumbered Notes 6, 7 & 8: replace 37 CFR § 2.64 with 37 CFR § 2.63 |
| 1203.01 | 3d para: Add information Note 1: Add In re Cordua Restaurants LP Note 10: Add In re Michalko |
| 1203.02(c) | 2d para: Add new [Note 2], renumber remaining notes New Note 2: Add In re Hollywood Lawyers Online; remaining notes renumbered |
| 1203.02(f) | Note 2: Add In re Morrison & Foerster LLP |
| 1204 | 1st para: delete [Note 3], remaining [Notes] renumbered Note 3 deleted, remaining Notes renumbered Notes 1, 2, 3: replace 37 CFR § 2.64 with 37 CFR § 2.63 New Note 3: delete 37 CFR § 2.142(a) |
| 1208.02 | Note 6: Add In re ActiveVideo Networks, Inc. |
| 1208.03 | New last para; new [Note 16] Note 4: Add In re Nieves & Nieves, LLC and Chanel, Inc. v. Makarcyzk Note 11: Add In re Geller Note 13: Add In re Swatch Group Management Services AG Note 14: Add In re Swatch Group Management Services AG Note 16: Add In re Geller and In re Morrison & Foerster LLP |
| 1208.04 | Note 3: Add In re Nieves & Nieves, LLC Note 7: Add In re Manwin/RK Collateral Trust |
| 1209.01 | 6th para: update 37 CFR § 2.64 with 37 CFR § 2.63 |
| 1209.02 | Update 37 CFR § 2.142(f)(6) |
| 1209.04 | 2d para: Add information, new [Note 1], remaining [Notes] renumbered |
Note 1: Add *In re Datapipe, Inc.*

| 1211 | Update 37 CFR § 2.68  
1st para: Add information, new [Note 2], remaining [Notes] renumbered  
Note 2: New |
| 1216 | 4th para: New [Note 3], remaining [Notes] renumbered; information added  
New Note 3, remaining notes renumbered  
Note 3: Add *In re Datapipe, Inc.* |