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Filing date: **06/10/2011**

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

Proceeding	77626778
Applicant	LaPolla Industries, Inc.
Applied for Mark	THERM-O-FLEX
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Submission	Applicant's Motion to Suspend
Attachments	7009THERM-O-FLEX TTAB-RequestForSuspension.pdf (2 pages)(16407 bytes)
Filer's Name	Daniel S. Polley
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Signature	/Daniel S. Polley/
Date	06/10/2011

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

In re application of : LaPolla Industries, Inc.
Serial No. : 77/626,778
Filed : December 4, 2008
Mark : **THERM-O-FLEX**
Trademark Attorney : John M. Kelly
Law Office : 117
Our File No. : 1127.7009

CERTIFICATE OF MAILING

I hereby certify that this correspondence, and any attachments thereto, is being electronically filed with the TTAB.

<u>Daniel S. Polley</u>	<u>/Daniel S. Polley/</u>	<u>June 10, 2011</u>
Name of Person Mailing Paper	Signature	Date

REQUEST FOR SUSPENSION OF EX-PARTE APPEAL

Mail Stop TTAB
Commissioner for Trademarks

Dear Sir:

Applicant respectfully requests suspension of the instant ex-parte appeal and in support thereof states:

1. Registration for Applicant's above-identified application was refused by the Examining Attorney in view of U.S. Registration No. 2,814,821 ("the '821 Registration").
2. Applicant has now filed a Petition of Partial Cancellation of the '821 Registration with the Trademark Trial and Appeal Board ("TTAB"). The Cancellation has been assigned Cancellation Proceeding No. 92054089.
3. As the outcome of the Cancellation Proceeding will have a direct bearing on the instant ex-parte appeal, Applicant respectfully requests that the ex-parte appeal be suspended pending disposition of the cancellation proceeding.
4. Applicant is also currently negotiating with the owner of the '821 Registration

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with respect to a co-existence agreement between the parties as an alternative mechanism for removing the '821 Registration as a bar to registration of Applicant's above-identified mark

Accordingly, in view of the above, Applicant respectfully requests suspension of the instant ex-parte appeal.

Respectfully submitted,

/Daniel S. Polley/
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