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

Proceeding	85279761
Applicant	Gielau, Teresa
Applied for Mark	PARTY PANTY
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Submission	Applicant's Motion to Suspend
Attachments	PARTY PANTY, Tmk. Appl. 85-279,761-Request for Suspension of Ex Parte Appeal (9-10-2012).PDF (2 pages)(106152 bytes)
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Date	09/10/2012

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

In re Application of: TERESA GIELAU

SERIAL NO.: 85/279,761

FILED: MARCH 29, 2011

MARK: PARTY PANTEE

INTERNATIONAL CLASS: 25

TRADEMARK ATTORNEY: MARC J. LEIPZIG/LAW OFFICE 115

REQUEST FOR SUSPENSION OF *EX PARTE* APPEAL FOR THE PURPOSE
OF PERMITTING APPLICANT TO FILE
A PETITION FOR CANCELLATION OF APPLIED REGISTRATION

Hon. Commissioner for Trademarks
United States Patent and Trademark Office
P. O. Box 1451
Alexandria, Virginia 22313-1451

To the Trademark Trial and Appeal Board:

On July 10, 2012, Applicant filed a *Notice of Appeal* from the final refusal-to-register the mark of the above-identified trademark application on the ground that a likelihood-of-confusion would exist between Applicant's trademark and the mark of U.S. Trademark Registration No. 3,444,467, for the "mark" "PARTY PANTEE (AND DESIGN)." Applicant's *Appeal Brief* would have been due today, September 10, 2012.

Applicant and her counsel have cause to believe that the mark of the applied trademark registration is no longer being used and has, in fact, been abandoned.

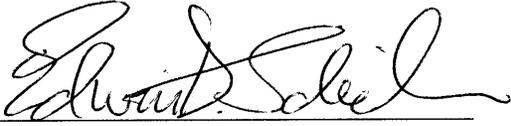
So that Applicant might now file a petition for cancellation of U.S. Trademark Registration No. 3,444,467 on the ground of abandonment, while maintaining the pendency of her own trademark application, Applicant respectfully requests a thirty-day suspension of the instant *ex parte* appeal for the purpose of permitting Applicant to file the proposed petition for cancellation. Once the petition for cancellation is filed, Applicant will request a further suspension of proceedings pending the outcome of the proposed cancellation proceeding.

Accordingly, Applicant respectfully a thirty-day suspension of the instant *ex parte* appeal for the purpose of permitting Applicant to file a petition for cancellation of U.S. Trademark Registration No. 3,444,467, on the ground that the “mark” of the registration applied by the Examining Attorney against Applicant’s trademark has been abandoned.

Such favorable action is respectfully requested and earnestly solicited.

Respectfully submitted,

TERESA GIELAU

By 
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September 10, 2012