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Filing date: **10/06/2015**

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

Proceeding	86322267
Applicant	LGC&D, LLP
Applied for Mark	CPA FOR EVERYDAY
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Submission	Applicant's Motion to Suspend
Attachments	request for suspension.pdf(72860 bytes)
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Date	10/06/2015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LGC&D, LLP
Serial No.: 86/322267
Filed: June 27, 2014
Mark: CPA FOR EVERYDAY
Docket No.: 405528 7001-US

REQUEST FOR SUSPENSION OF EX PARTE APPEAL BY TTAB

Madam:

Please review the following remarks and Request for Suspension of the Ex Parte Appeal.

A Notice of Appeal was filed on September 30, 2015.

I. REQUEST FOR SUSPENSION OF EX PARTE APPEAL BY TTAB

The Applicant submitted a Notice of Appeal from the final refusal of the above-noted Mark on September 30, 2015. In accordance with TBMP 1213 (3) "Suspension of Appeal", the Applicant hereby requests the Trademark Trial and Appeal Board to immediately suspend the appeal.

Suspension is requested for the following reasons:

In accordance with TBMP 1213(3), prior to the issuance of the Board's decision in an ex parte appeal, proceedings with respect to the appeal may be suspended by the Board upon written request by the applicant showing good cause for the requested suspension. Examples of situations in which the Board may suspend proceedings in an appeal, at the request of the application, are listed below:

(3) A registration cited as a reference, under Trademark Act § 2(d), against applicant's mark is due, or will soon be due, for an affidavit of continued use under Trademark Act § 8. The Board may suspend the appeal pending determination of whether the registration will continue in existence or will, instead, be cancelled or expire. If an applicant requests suspension based on the possibility that the cited registration may be cancelled for failure to file an affidavit of continued use, the Board will grant such request if the Board acts on the request after the 5th anniversary of the issue date of the registration.

The Examining Attorney has refused registration of Applicant's Mark solely on the basis of confusing similarity (Section 2(d)) to the mark shown in trademark Registration No. 3857753.

Registration No. 3857753 was registered on October 5, 2010. The '753 Registration has an affidavit of continued use under Section 8 due now between the fifth (October 5, 2015) and sixth (October 5, 2016) anniversaries of the registration. A current status of this registration is hereby enclosed.

The Applicant hereby requests suspension of the appeal based on the possibility that the cited Registration No. 3857753 may be cancelled for failure to file an affidavit of continued use.

Since the Board will be acting on this request after the 5th anniversary (October 5, 2015) of the issue date of cited Registration No. 3857753, the Applicant requests that the Board grant such request.

II. CONCLUSION

In summary, the Applicant hereby requests suspension of the appeal based on the possibility that cited Registration No. 3857753 may be cancelled for failure to file an affidavit of continued use.

Respectfully submitted,

Date: October 6, 2015

/Cheryl A. Clarkin/
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