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

Proceeding	91203057
Party	Plaintiff Churchill Downs Incorporated
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Date	08/27/2013
Attachments	ResponseTTABinquiry.pdf(79422 bytes)

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

CHURCHILL DOWNS INCORPORATED)	
)	
Opposer)	
)	
vs.)	
)	OPPOSITION NO. 91,203,057
COMMEMORATIVE DERBY PROMOTIONS, INC.)	
)	
Applicant)	
<hr style="width: 40%; margin-left: 0;"/>)	

RESPONSE TO SUSPENSION INQUIRY

In response to the suspension inquiry dated August 13, 2013, Opposer, Churchill Downs Incorporated hereby reports that the action upon which the suspension is based, namely, *Churchill Downs Incorporated. v. Commemorative Derby Promotions, Inc. et al*, Cause No. 1:12-CV-517-JEC, remains pending in the U.S. District Court for the Northern District of Georgia. In that proceeding, cross-motions for summary judgment are under submission with the Court. Accordingly, continued suspension of this proceeding is appropriate.

/jackawheat/

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ATTORNEYS FOR OPPOSER

CERTIFICATE OF SERVICE AND MAILING

I hereby certify that a true copy of this correspondence entitled RESPONSE TO SUSPENSION INQUIRY in Opposition No. 91,203,057, *Churchill Downs Incorporated v. Commemorative Derby Promotions, Inc.* is this 27th day of august, 2013 being submitted electronically with the TTAB through the ESTTA system, and deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Donald L. Cox
William H. Mooney
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8/27/13