

ESTTA Tracking number: **ESTTA520846**

Filing date: **02/11/2013**

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

Proceeding	91203920
Party	Plaintiff Innova Electronics Corporation
Correspondence Address	BRUCE B BRUNDA STETINA BRUNDA GARRED & BRUCKER 75 ENTERPRISE, SUITE 250 ALISO VIEJO, CA 92656 UNITED STATES inventacapital@gmail.com
Submission	Opposition/Response to Motion
Filer's Name	Bruce B. Brunda
Filer's e-mail	opposition@stetinalaw.com
Signature	/Bruce B. Brunda/
Date	02/11/2013
Attachments	[02 11 13] Opposer's Response to Applicant's Motion.pdf (4 pages)(77070 bytes) [02 11 13] Decl of Bruce Brunda in Response to Applicant's Motion.pdf (31 pages)(496677 bytes)

Case: EQUUS-281M
EQUUS-282M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

IN RE SERIAL NO. 77/676,136 & . 77/676,133

Innova Electronics Corporation,)	Opposition No.: 91203920
)	and
Opposer,)	Opposition No.: 91203929
)	
vs.)	
)	
Equus World, Inc.,)	
)	
Applicant.)	
)	

**OPPOSER' S RESPONSE TO APPLICANT'S MOTION IN RESPONSE TO
ORDER ISSUED BY TRADEMARK TRIAL AND APPEAL BOARD ENTERED
IN OPPOSITION NOS. 91203901 AND 91203905**

On August 8, 2012, Applicant Equus World, Inc. filed a motion, identified in the transmittal papers as a "Motion for Suspension in View of Civil Proceeding with Consent".

The body of the Motion included a heading as follows "Motion to Suspend Opposition Proceedings in View of Motion for Summary Judgment Filed in Opposition No. 91203901 Pursuant to 37 C.F.R. §2.117(a)."

The text of the Motion indicated that Applicant moved "for suspension of these proceedings upon disposition of proceedings filed by Hyundai Motor America and Hyundai Motor Company ("Hyundai"), in opposition no. 91203901...."

The relief requested in the Motion was for “suspension of these proceedings pending disposition of proceedings filed by Hyundai.”

As set forth in the accompanying declaration of Opposer’s counsel, Bruce B. Brunda, Opposer made clear that it was agreeable to the proposed suspension, with changes, which deleted reference to the Summary Judgment Motion and confirmed that the suspension was for duration of the proceedings between Applicant and Hyundai.

In granting the Suspension Motion, this Board granted the Motion to suspend this proceeding “pending final disposition of the civil action.” It therefore appears that the Board was misled by the transmittal papers filed by Applicant’s counsel, identifying the Motion as a “Motion for Suspension in View of Civil Proceedings with Consent”.

However, notwithstanding the incorrect reference to a “Civil Action” the Board correctly read the body of the Motion which made clear that the request for Suspension was for the entire duration of the Hyundai proceedings. That also conforms to the substance of the correspondence between the parties leading up to submission of the Stipulation.

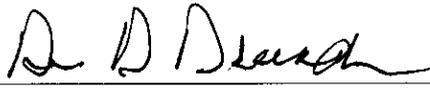
By the present Motion Opposer seeks to modify the stipulation that was submitted by the parties, and the Board’s Order, to limit the suspension to the pendency of the Hyundai Summary Judgment Motion.

As also indicated in the accompanying Declaration of Bruce B. Brunda, Opposer’s counsel tried to contact Applicant’s counsel to amend the present Motion to make it clear that the stipulated suspension was to extend for the entire duration of the Hyundai Opposition proceedings. However, Applicant’s counsel has not responded to those communications.

By this response Opposer requests that the Board confirms that the proceedings are to be suspended pending final disposition of the Hyundai's Oppositions. This would avoid a potential waste of resources by the parties and this Board, and avoid potential confusion and inconsistencies resulting from concurrent Opposition proceedings between different parties.

Respectfully submitted,

Dated: February 8, 2013

By: 

Bruce B. Brunda
Attorney for Opposer
Stetina Brunda Garred & Brucker
75 Enterprise, Suite 250
Aliso Viejo, CA 92656
(949) 855-1246
bbrunda@stetinalaw.com

PROOF OF SERVICE

State of California)
) ss.
County of Orange)

I am over the age of 18 and not a party to the within action; my business address is 75 Enterprise, Suite 250, Aliso Viejo, California 92656. On **February 11, 2013**, the attached **OPPOSER'S RESPONSETO APPLICANT'S MOTION IN RESPONSE TO ORDER ISSUED BY TRADEMARK TRIAL AND APPEAL BOARD ENTERED IN OPPOSITION NOS. 91203901 AND 91203905** was served on all interested parties in this action by U.S. Mail, postage prepaid, at the address as follows:

Equus World, Inc.
39555 Orchard Hill Place, Suite 370
Novi, MI 48375

James Ziety
Borda & Lorenz P.C.
Suite 370
39555 Orchard Hill Place
Novi, MI 48329

Executed on **February 11, 2013** at Aliso Viejo, California. I declare under penalty of perjury that the above is true and correct. I declare that I am employed in the office of STETINA BRUNDA GARRED & BRUCKER at whose direction service was made.



Ellen Burns

Case: EQUUS-281M
EQUUS-282M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

IN RE SERIAL NO. 77/676,136 & . 77/676,133

Innova Electronics Corporation,)	Opposition No.: 91203920
)	and
Opposer,)	Opposition No.: 91203929
)	
vs.)	
)	
Equus World, Inc.,)	
)	
Applicant.)	
)	

**DECLARATION OF BRUCE B. BRUNDA IN RESPONSE TO APPLICANT'S
MOTION IN RESPONSE TO ORDER ISSUED BY TRADEMARK TRIAL AND
APPEAL BOARD ENTERED IN OPPOSITION NOS. 91203901 AND 91203905**

I, Bruce B. Brunda, hereby declare as follows:

1. I am counsel for Opposer, Innova Electronics Corp., in the above referenced Oppositions.

2. I submit this declaration in response to Applicant's Motion in Response to Applicant's Order Issued by Trademark Trial and Appeal Board Entered in Opposition Nos. 91203901 and 91203905.

3. As evidenced in the attached Exhibits, Mr. Shariff, counsel for Applicant in these proceedings initially proposed a suspension of the subject opposition, pending resolution of the summary judgment motion filed in a related opposition. I responded to

that proposal by an email of July 23, 2012 (Exhibit 1), advising that Opposer would not oppose suspension of the proceedings pending resolution of the Hyundai opposition.

4. On August 7, 2012, I received a copy of a draft motion for suspension from Mr. Shariff. The draft again proposed to suspension the subject proceedings, pending resolution of the summary judgment motion in related opposition proceedings. In response, I returned a red-line copy of the draft motion to Mr. Shariff, reflecting changes that deleted reference to the summary judgment motion and requested suspension of the proceedings pending “disposition of proceedings filed by Hyundai.” The changes were accepted by Mr. Shariff. A copy of the email, including the draft changes to the suspension motion are attached hereto as Exhibit 2.

5. Mr. Shariff then filed the Suspension Motion, with the requested changes.

6. Based on my prior email to Mr. Shariff, and the red-line draft of the suspension motion, Mr. Shariff was well advised that Opposer was agreeable to suspension of the subject proceedings, pending resolution of the related opposition proceedings filed by Hyundai, not pending disposition of the summary judgment motion filed by Hyundai in the related proceedings.

6. Upon receipt of the present motion, I noted that the motion incorrectly characterized the prior suspension motion as requesting a suspension of the present Oppositions pending disposition of the summary judgment motion filed in the Hyundai oppositions. I then sent correspondence, dated January 23, 2013 to Mr. Sheriff requesting that he amend the present motions to clarify that the prior suspension motions were not limited to the duration of the summary judgment motions, but rather requested

that the suspension extend for the entire duration of the Hyundai oppositions. A copy of that correspondence is submitted herewith as Exhibit 3.

8. Notwithstanding my letter of January 28, 2013 (Exhibit 3), my subsequent email reminder on February 5, 2013, and two additional follow up phone calls to Mr. Shariff's office, I have yet to receive any response to my request that the present motion be amended to reflect the correct substance of the suspension motion.

I declare, under penalty of perjury for the foregoing is true and correct.

By: 
Bruce B. Brunda

Date: February 8, 2013

PROOF OF SERVICE

State of California)
) ss.
County of Orange)

I am over the age of 18 and not a party to the within action; my business address is 75 Enterprise, Suite 250, Aliso Viejo, California 92656. On **February 11, 2013**, the attached **DECLARATION OF BRUCE B. BRUNDA IN RESPONSE TO APPLICANT’S MOTION IN RESPONSE TO ORDER ISSUED BY TRADEMARK TRIAL AND APPEAL BOARD ENTERED IN OPPOSITION NOS. 91203901 AND 91203905** was served on all interested parties in this action by U.S. Mail, postage prepaid, at the address as follows:

Equus World, Inc.
39555 Orchard Hill Place, Suite 370
Novi, MI 48375

James Ziety
Borda & Lorenz P.C.
Suite 370
39555 Orchard Hill Place
Novi, MI 48329

Executed on **February 11, 2013** at Aliso Viejo, California. I declare under penalty of perjury that the above is true and correct. I declare that I am employed in the office of STETINA BRUNDA GARRED & BRUCKER at whose direction service was made.



Ellen Burns

EXHIBIT 1

Bruce B. Brunda

From: Bruce B. Brunda
Sent: Monday, July 23, 2012 1:46 PM
To: 'Michael Shariff'
Subject: RE: Opposition No. 91203919 for EQUUS-MR; Our Ref: EQUUS-281M // Opposition No. 91203920 for MR-EQUUS; Our Ref: EQUUS-282M

Michael;

We would not oppose suspension of this proceeding pending resolution of the Hyundai opposition, provided that a proper Initial Disclosure is provided at this time. I don't think we should have to delay the disclosure of basic information, as Innova has already provided.

Let me know if this is agreeable.

Bruce B. Brunda
STETINA BRUNDA GARRED & BRUCKER
75 Enterprise, Suite 250
Aliso Viejo, California 92656
Phone: (949) 855-1246
Facsimile: (949) 855-6371

This communication is for its intended recipient only, and contains information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any unauthorized use, dissemination, distribution or copying of this communication is strictly prohibited. Further, if you are not the intended recipient you should not open any attached document(s) or further distribute this communication or the attached document(s). If you have received this communication in error, please notify us immediately by telephone (949-855-1246) or e-mail reply, delete it from your system, and destroy any hard copy you may have printed. Thank you.

ATTORNEY-CLIENT AND/OR WORK PRODUCT PRIVILEGED COMMUNICATION

This communication is protected by the attorney-client and/or the work product privilege and should be treated in a confidential manner. Any disclosure to other than key management personnel on a need-to-know basis may jeopardize the privilege and require disclosure to adverse parties in litigation.

From: Michael Shariff [mailto:inventacapital@gmail.com]
Sent: Monday, July 23, 2012 1:39 PM
To: Bruce B. Brunda
Cc: Ellen D. Burns
Subject: Re: Opposition No. 91203919 for EQUUS-MR; Our Ref: EQUUS-281M // Opposition No. 91203920 for MR-EQUUS; Our Ref: EQUUS-282M

Dear Bruce:

As you probably know, we have two Opposition nos. 91203901 and 91203905 filed by Hyundai corporation. We are in the process of filing a motion to suspend proceedings in Opposition nos. 91203919 and 91203920 filed by your client until disposition of MSJ filed by Hyundai corporation. Please let me know by email if your client will not object us filing said motion.

Thanks for cooperation,

Michael

On Mon, Jul 16, 2012 at 6:49 PM, Bruce B. Brunda <bbrunda@stetinalaw.com> wrote:

Michael;

Please let me know when, within the next 10 days, you are available to discuss the previously stated concerns regarding

Applicant's Initial Disclosure.

Bruce B. Brunda

STETINA BRUNDA GARRED & BRUCKER
75 Enterprise, Suite 250
Aliso Viejo, California 92656
Phone: (949) 855-1246
Facsimile: (949) 855-6371

This communication is for its intended recipient only, and contains information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any unauthorized use, dissemination, distribution or copying of this communication is strictly prohibited. Further, if you are not the intended recipient you should not open any attached document(s) or further distribute this communication or the attached document(s). If you have received this communication in error, please notify us immediately by telephone (949-855-1246) or e-mail reply, delete it from your system, and destroy any hard copy you may have printed. Thank you.

ATTORNEY-CLIENT AND/OR WORK PRODUCT PRIVILEGED COMMUNICATION

This communication is protected by the attorney-client and/or the work product privilege and should be treated in a confidential manner. Any disclosure to other than key management personnel on a need-to-know basis may jeopardize the privilege and require disclosure to adverse parties in litigation.

From: Michael Shariff [<mailto:inventacapital@gmail.com>]

Sent: Monday, May 14, 2012 10:18 AM

To: Ellen D. Burns

Cc: Bruce B. Brunda; Tara L. Hamilton

Subject: Re: Opposition No. 91203919 for EQUUS-MR; Our Ref: EQUUS-281M // Opposition No. 91203920 for MR-EQUUS; Our Ref: EQUUS-282M

Dear Ellen:

Thank you for your email.

Monday, May 21st at 11:00 a.m. Pacific / 2:00 p.m. Eastern is an acceptable time for me to have a conference call with Bruce Brunda.

Please call me at 248. 346.0546.

Thanks,

Michael

On Mon, May 14, 2012 at 1:13 PM, Ellen D. Burns <eburns@stetinalaw.com> wrote:

Dear Michael:

Thank you for your email.

Please advise if Monday, May 21st at 11:00 a.m. Pacific / 2:00 p.m. Eastern is an acceptable time for you to have a conference call with Bruce Brunda.

Please note, because you and he will be the only participants, we will be making the call directly. Please let us know if you would like us to call your directl line at 248-212-0704, or if you would prefer to call us at 949-855-1246.

Very truly yours,

Ellen Burns, Litigation Paralegal
On Behalf of Bruce Brunda
STETINA BRUNDA GARRED & BRUCKER
75 Enterprise, Suite 250
Aliso Viejo, California 92656

Phone: 949-855-1246 Ext. 256

Fax: 949-855-6371

Email: eburns@stetinalaw.com

This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

From: Michael Shariff [mailto:inventacapital@gmail.com]

Sent: Monday, May 14, 2012 7:07 AM

To: Ellen D. Burns

Cc: Bruce B. Brunda; Tara L. Hamilton

Subject: Re: Opposition No. 91203919 for EQUUS-MR; Our Ref: EQUUS-281M // Opposition No. 91203920 for MR-EQUUS; Our Ref: EQUUS-282M

Dear Ellen:

I left you a voice mail earlier this morning. I will be in D.C. all this week attending several meetings with Examiners at the USPTO. All next week is wide open so please feel free to set up time that is convenient for you. Please email me a conference call number and code for me to call.

Regards,

Michael Shariff

On Mon, May 7, 2012 at 8:29 PM, Ellen D. Burns <eburns@stetinalaw.com> wrote:

Dear Mr. Shariff:

Please advise when you will be available to confer with Bruce Brunda regarding the above-referenced cases.

Very truly yours,

Ellen Burns, Litigation Paralegal
On Behalf of Bruce Brunda
STETINA BRUNDA GARRED & BRUCKER
75 Enterprise, Suite 250
Aliso Viejo, California 92656
Phone: 949-855-1246 Ext. 256
Fax: 949-855-6371
Email: eburns@stetinalaw.com

This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

--

Michael G. Shariff, Esq.
Intellectual Property Attorney
Inventa capital PLC

Direct line: 248.212.0704

Mobile phone: 248.346.0546

Toll free: 888.701.1912

Fax: 888.636.1317

www.inventacapital.com

mgs@inventacapital.com

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this transmission in error, please contact the sender by reply e-mail or by telephone +1 (248) 346-0546 and delete and destroy all copies of the material, including all copies stored in the recipient's computer, printed or saved to disk.

To ensure compliance with requirements imposed by the Internal Revenue Service, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any tax-related matter(s) addressed herein.

--
Michael G. Shariff, Esq.
Intellectual Property Attorney
Inventa capital PLC

Direct line: 248.212.0704

Mobile phone: 248.346.0546
Toll free: 888.701.1912

Fax: 888.636.1317

www.inventacapital.com

mgs@inventacapital.com

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this transmission in error, please contact the sender by reply e-mail or by telephone +1 (248) 346-0546 and delete and destroy all copies of the material, including all copies stored in the recipient's computer, printed or saved to disk.

To ensure compliance with requirements imposed by the Internal Revenue Service, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any tax-related matter(s) addressed herein.

--
Michael G. Shariff, Esq.
Intellectual Property Attorney
Inventa capital PLC

Direct line: 248.212.0704
Mobile phone: 248.346.0546
Toll free: 888.701.1912
Fax: 888.636.1317
www.inventacapital.com
mgs@inventacapital.com

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this transmission in error, please contact the sender by reply e-mail or by telephone +1 (248) 346-0546 and delete and destroy all copies of the material, including all copies stored in the recipient's computer, printed or saved to disk.

To ensure compliance with requirements imposed by the Internal Revenue Service, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any tax-related matter(s) addressed herein.

EXHIBIT 2

Gloria Delgadillo

From: Gloria Delgadillo
Sent: Wednesday, August 08, 2012 10:35 AM
To: 'Michael Shariff'
Subject: RE: Opposition No. 91203919 for EQUUS-MR; Our Ref: EQUUS-281M // Opposition No. 91203920 for MR-EQUUS; Our Ref: EQUUS-282M

Dear Mr. Shariff:

Thank you for your email and confirmation.
Should you need anything else or have any questions, please let me know.

Best regards,
Gloria

This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

From: Michael Shariff [mailto:inventacapital@gmail.com]
Sent: Wednesday, August 08, 2012 10:25 AM
To: Gloria Delgadillo
Subject: Re: Opposition No. 91203919 for EQUUS-MR; Our Ref: EQUUS-281M // Opposition No. 91203920 for MR-EQUUS; Our Ref: EQUUS-282M

Dear Gloria:

Your changes are accepted. I will file the motions today.

Regards,

Mike

On Wed, Aug 8, 2012 at 12:36 PM, Gloria Delgadillo <gdelgadillo@stetinalaw.com> wrote:

Dear Mr. Shariff:

Thank you for your email and attachments.

Mr. Brunda has reviewed the attachments and has made some changes.

For your review and approval, I have attached a redline and clean version of the proposed changes.

Should you have any questions, please let me know.

Best regards,

Gloria Delgadillo

Assistant to Bruce B. Brunda

STETINA BRUNDA GARRED & BRUCKER

75 Enterprise, Suite 250

Aliso Viejo, California 92656

Phone: 949-855-1246 ext. 236

Fax: 949-855-6371

Email: gdelgadillo@stetinalaw.com

This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

From: Michael Shariff [<mailto:inventacapital@gmail.com>]

Sent: Tuesday, August 07, 2012 6:36 PM

To: Ellen D. Burns

Cc: Bruce B. Brunda; Tara L. Hamilton; Gloria Delgadillo

Subject: Re: FW: Opposition No. 91203919 for EQUUS-MR; Our Ref: EQUUS-281M // Opposition No. 91203920 for MR-EQUUS; Our Ref: EQUUS-282M

Dear Ellen:

Sorry for late response. Please see attached. Please let me know if there are no objections. I will file the motions as soon as I hear from your office.

Regards,

Michael Shariff

On Wed, Aug 1, 2012 at 5:52 PM, Ellen D. Burns <eburns@stetinalaw.com> wrote:

Dear Mr. Shariff:

Further to your email to us last week, we are following up on the draft Motion to Suspend.

Please advise when we can expect to receive your draft motion.

Very truly yours,

Ellen Burns, Litigation Paralegal

On Behalf of Bruce Brunda

STETINA BRUNDA GARRED & BRUCKER

75 Enterprise, Suite 250

Aliso Viejo, California 92656

Phone: 949-855-1246 Ext. 256

Fax: 949-855-6371

Email: eburns@stetinalaw.com

This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

--

Michael G. Shariff, Esq.
Intellectual Property Attorney
Inventa capital PLC
Direct line: 248.212.0704
Mobile phone: 248.346.0546
Toll free: 888.701.1912
Fax: 888.636.1317
www.inventacapital.com

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this transmission in error, please contact the sender by reply e-mail or by telephone +1 (248) 346-0546 and delete and destroy all copies of the material, including all copies stored in the recipient's computer, printed or saved to disk.

To ensure compliance with requirements imposed by the Internal Revenue Service, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any tax-related matter(s) addressed herein.

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

Application Serial No.: 77/676,133
Mark: EQUUS-MR & Design
International Class: 12/35/41
Applicant: Equus World, Inc.

-----X

INNOVA ELECTRONICS CORPORATION,

Opposers,

Opposition No.: 91203920

EQUUS WORLD, INC.,

Applicant,

-----X

**MOTION TO SUSPEND OPPOSITION PROCEEDINGS IN VIEW OF MOTION FOR
SUMMARY JUDGEMENT FILED IN OPPOSITION No. 91203901 PURSUANT TO 37
C.F.R. § 2.117 (a)**

Applicant, Equus World, Inc., by his attorneys at Inventa Capital PLC, hereby moves for suspension of these proceedings upon disposition of proceedings ~~related to Motion for Summary Judgment (a “motion”)~~ filed by Hyundai Motor America and Hyundai Motor Company (“Hyundai”) in opposition No. 91203901 for Applicant’s mark: EQUUS-MR & Design pursuant to C.F.R. § 2.117 (a).

On June 1, 2012, Hyundai filed the motion in opposition No. 91203901 for Applicant’s mark; EQUUS-MR & Design. On June 28, 2012, Applicant filed a response to the motion. On July 12, 2012, Hyundai filed a reply to Applicant’s response in support of the motion. Applicant is in the process of preparation of a response to the reply filed by Hyundai on July 12, 2012.

Applicant therefore respectively requests suspension of these proceedings pending disposition of proceedings ~~related to the motion~~ filed by Hyundai.

Dated: Bloomfield Hills, Michigan

August 6, 2012

INVENTA CAPITAL PLC

By: _____

Michael G. Shariff

Attorney for Applicant

1010 Parkway Trail

Bloomfield Hills, MI 48302

(248) 3460546 phone

(888) 6361317 fax

mgs@inventacapital.com

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

Application Serial No.: 77/676,133
Mark: EQUUS-MR & Design
International Class: 12/35/41
Applicant: Equus World, Inc.

-----X
INNOVA ELECTRONICS CORPORATION,

Opposers,

Opposition No.: 91203920

EQUUS WORLD, INC.,

Applicant,

-----X

MOTION TO SUSPEND OPPOSITION PROCEEDINGS IN VIEW OF MOTION FOR
SUMMARY JUDGEMENT FILED IN OPPOSITION No. 91203901 PURSUANT TO 37
C.F.R. § 2.117 (a)

Applicant, Equus World, Inc., by his attorneys at Inventa Capital PLC, hereby moves for suspension of these proceedings upon disposition of proceedings filed by Hyundai Motor America and Hyundai Motor Company (“Hyundai”) in opposition No. 91203901 for Applicant’s mark: EQUUS-MR & Design pursuant to C.F.R. § 2.117 (a).

On June 1, 2012, Hyundai filed the motion in opposition No. 91203901 for Applicant’s mark; EQUUS-MR & Design. On June 28, 2012, Applicant filed a response to the motion. On July 12, 2012, Hyundai filed a reply to Applicant’s response in support of the motion. Applicant is in the process of preparation of a response to the reply filed by Hyundai on July 12, 2012.

Applicant therefore respectively requests suspension of these proceedings pending disposition of proceedings filed by Hyundai.

Dated: Bloomfield Hills, Michigan

August 6, 2012

INVENTA CAPITAL PLC

By: _____

Michael G. Shariff

Attorney for Applicant

1010 Parkway Trail

Bloomfield Hills, MI 48302

(248) 3460546 phone

(888) 6361317 fax

mgs@inventacapital.com

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

Application Serial No.: 77/676,136
Mark: MR-EQUUS & Design
International Class: 12/35/41
Applicant: Equus World, Inc.

-----X
INNOVA ELECTRONICS CORPORATION,

Opposers,

Opposition No.: 91203919

EQUUS WORLD, INC.,

Applicant,

-----X

**MOTION TO SUSPEND OPPOSITION PROCEEDINGS IN VIEW OF MOTION FOR
SUMMARY JUDGEMENT FILED IN OPPOSITION No. 91203905 PURSUANT TO 37
C.F.R. § 2.117 (a)**

Applicant, Equus World, Inc., by his attorneys at Inventa Capital PLC, hereby moves for suspension of these proceedings upon disposition of proceedings ~~related to Motion for Summary Judgment (a “motion”)~~ filed by Hyundai Motor America and Hyundai Motor Company (“Hyundai”) in opposition No. 91203905 for Applicant’s mark: MR-EQUUS & Design pursuant to 37 C.F.R. § 2.117 (a).

On May 30, 2012, Hyundai filed the motion in opposition No. 91203905 for Applicant’s mark: MR-EQUUS & Design. On June 28, 2012, Applicant filed a response to the motion. On July 12, 2012, Hyundai filed a reply to Applicant’s response in support of the motion. Applicant is in the process of preparation of a response to the reply filed by Hyundai on July 12, 2012.

Applicant therefore respectfully requests suspension of these proceedings pending disposition of proceedings ~~related to the motion~~ filed by Hyundai.

Dated: Bloomfield Hills, Michigan

August 6, 2012

INVENTA CAPITAL PLC

By: _____

Michael G. Shariff

Attorney for Applicant

1010 Parkway Trail

Bloomfield Hills, MI 48302

(248) 3460546 phone

(888) 6361317 fax

mgs@inventacapital.com

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

Application Serial No.: 77/676,136
Mark: MR-EQUUS & Design
International Class: 12/35/41
Applicant: Equus World, Inc.

-----X
INNOVA ELECTRONICS CORPORATION,

Opposers,

Opposition No.: 91203919

EQUUS WORLD, INC.,

Applicant,

-----X

**MOTION TO SUSPEND OPPOSITION PROCEEDINGS IN VIEW OF MOTION FOR
SUMMARY JUDGEMENT FILED IN OPPOSITION No. 91203905 PURSUANT TO 37
C.F.R. § 2.117 (a)**

Applicant, Equus World, Inc., by his attorneys at Inventa Capital PLC, hereby moves for suspension of these proceedings upon disposition of proceedings filed by Hyundai Motor America and Hyundai Motor Company (“Hyundai”) in opposition No. 91203905 for Applicant’s mark: MR-EQUUS & Design pursuant to 37 C.F.R. § 2.117 (a).

On May 30, 2012, Hyundai filed the motion in opposition No. 91203905 for Applicant’s mark: MR-EQUUS & Design. On June 28, 2012, Applicant filed a response to the motion. On July 12, 2012, Hyundai filed a reply to Applicant’s response in support of the motion. Applicant is in the process of preparation of a response to the reply filed by Hyundai on July 12, 2012.

Applicant therefore respectfully requests suspension of these proceedings pending disposition of proceedings filed by Hyundai.

Dated: Bloomfield Hills, Michigan

August 6, 2012

INVENTA CAPITAL PLC

By: _____

Michael G. Shariff

Attorney for Applicant

1010 Parkway Trail

Bloomfield Hills, MI 48302

(248) 3460546 phone

(888) 6361317 fax

mgs@inventacapital.com

EXHIBIT 3

Ellen D. Burns

From: attorney_mike@yahoo.com
Sent: Monday, January 28, 2013 4:05 PM
To: Ellen D. Burns
Subject: Delivered: Trademark Opposition for the Marks EQUUS-MR & Design & MR-EQUUS & Design // Our Refs: EQUUS-281M and 282M
Attachments: ATT00001

Your message was delivered to the recipient.
Sent via BlackBerry from T-Mobile

Ellen D. Burns

From: Microsoft Outlook
To: 'mgs@inventacapital.com'
Sent: Monday, January 28, 2013 4:04 PM
Subject: Relayed: Trademark Opposition for the Marks EQUUS-MR & Design & MR-EQUUS & Design // Our Refs: EQUUS-281M and 282M

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

'mgs@inventacapital.com' (mgs@inventacapital.com)

Subject: Trademark Opposition for the Marks EQUUS-MR & Design & MR-EQUUS & Design // Our Refs: EQUUS-281M and 282M

Ellen D. Burns

From: Ellen D. Burns
Sent: Monday, January 28, 2013 4:08 PM
To: 'mgs@inventacapital.com'
Cc: Bruce B. Brunda; Tara L. Hamilton; Gloria Delgadillo
Subject: Trademark Opposition for the Marks EQUUS-MR & Design & MR-EQUUS & Design // Our Refs: EQUUS-281M and 282M
Attachments: ltrOppC 01 28 13.pdf

Tracking:	Recipient	Delivery
	'mgs@inventacapital.com'	
	Bruce B. Brunda	
	Tara L. Hamilton	Delivered: 1/28/2013 4:04 PM
	Gloria Delgadillo	Delivered: 1/28/2013 4:04 PM

Dear Mr. Shariff:

Please see the attached letter from Bruce Brunda.

Please contact us should you have any questions.

Very truly yours,

Ellen Burns, Litigation Paralegal
On Behalf of Bruce B. Brunda
Stetina Brunda Garred & Brucker
75 Enterprise, Suite 250
Aliso Viejo, California 92656
Tel: (949) 855-1246
Fax: (949) 855-6371
www.stetinalaw.com

This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

LAW OFFICES
Stetina Brunda Garred & Brucker
A PROFESSIONAL CORPORATION
PATENT, TRADEMARK, COPYRIGHT AND UNFAIR COMPETITION LAWYERS
75 ENTERPRISE, SUITE 250
ALISO VIEJO, CALIFORNIA 92656

KIT M. STETINA
BRUCE B. BRUNDA
WILLIAM J. BRUCKER
MARK B. GARRED
MATTHEW A. NEWBOLES
ERIC L. TANEZAKI
LOWELL ANDERSON
JAMES C. YANG

SHUNSIKÉ S. SUMITANI
STEPHEN Z. YEGH
BENJAMIN N. DIEDERICH
MICHAEL J. ZINSALE

TELEPHONE (949) 855-1246
FACSIMILE I (949) 855-6371
FACSIMILE II (949) 716-5197
www.stetinalaw.com
Writer's Direct E-mail:
bbrunda@stetinalaw.com

January 28, 2013

Michael G. Shariff, Esq
Attorney for Applicant
1010 Parkway Trail
Bloomfield Hills, MI 48302

VIA EMAIL ONLY
mgs@inventacapital.com

RE: Trademark Oppositions for the Marks
EQUUS-MR & Design / 77/676.133 / Opposition No. 91203919
MR-EQUUS & Design / 77/676.136 / Opposition No. 91203920
Our Refs: EQUUS-281M and EQUUS-282M

Dear Mr. Shariff:

We are in receipt of two motions identified as "Motion in Response to Order Issued by Trademark Trial and Appeal Board entered in Opposition No. 91203901 and 91203905".

The motions are in response to comments of the TTAB in its order denying summary judgment in oppositions between Hyundai and Equus World.

The two motions appear to incorrectly characterize the prior stipulated motions as requesting a stay during the disposition of the summary judgment motion filed in the Hyundai oppositions.

In fact, the prior stipulated motions requested suspension of the opposition proceedings pending disposition of proceedings filed by Hyundai Motor America and Hyundai Motor Company.

January 28, 2013

Page 2

Put otherwise, the prior motions for suspension were not limited to the duration of the summary judgment motions in the Hyundai proceeding, but rather requested that the suspension extend for the entire duration of the Hyundai oppositions. Please amend the motions so they accurately reflect the content of the underlying suspension motions.

Very truly yours,

STETINA BRUNDA GARRED & BRUCKER



Bruce B. Brunda

BBB/eb