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Filing date: **04/17/2015**

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

Proceeding	91204186
Party	Defendant Lorillard Technologies, Inc.
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Date	04/17/2015
Attachments	Response to TTAB re Zippo Civil Action.pdf(149633 bytes)

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

In the Matter of:

Application Serial Nos.: 85/092,665, 85/131287, and 85/131965

Marks: BLU CIGS, BLU, and BLU and Design

Filing Dates: July 26, 2010, September 16, 2010, and September 17, 2010

Published: November 8, 2011 and November 29, 2011

ZIPPMARK, INC.,)	
)	
Opposer)	
)	Opposition No. 91204186
v.)	
)	
LORILLARD TECHNOLOGIES, INC.)	
(successor to BLEC, LLC),)	
)	
Applicant)	

NOTICE OF STATUS OF CIVIL ACTION

On April 8, 2014, Lorillard Technologies, Inc. (successor to BLEC, LLC) (“Applicant”) moved the Trademark Trial and Appeal Board (“Board”) for an order, pursuant to 37 C.F.R. § 2.117(a), to suspend the instant Opposition proceeding against Applicant pending the determination of a civil action filed by Applicant’s exclusive licensee, LOEC, Inc. (“LOEC”) against Opposer and its exclusive licensee, Zippo Manufacturing Company (“Zippo”), in the United States District Court for the Central District of California, styled as *LOEC, Inc. v. ZippMark, Inc. et al.*, Case No. 2:14-cv-02596-RGK-FFM (the “Civil Action”).

On April 16, 2014, the Board suspended the instant Opposition proceeding pending a determination of the Civil Action. On April 16, 2015, the Board requested an update as to the status of the Civil Action.

In response to the Board’s request, Applicant informs the Board that a jury trial has been scheduled in the Civil Action for May 12, 2015. Applicant therefore requests that the instant Opposition remain suspended for at least another 60 days while a final determination is reached in the Civil Action.

WHEREFORE, Applicant respectfully requests that the Board order that the instant Opposition proceeding remain suspended pending a final determination of the Civil Action.

Respectfully submitted,
LORILLARD TECHNOLOGIES, INC.

Dated: April 17, 2015

By: /s/ Eric T. Fingerhut

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Notice Of Status Of Civil Action was served on the Opposer by depositing same in the United States mail, first class, postage pre-paid, April 17, 2015 to:

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/s/ Eric T. Fingerhut
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