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Filing date: **10/30/2015**

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

Proceeding	91205687
Party	Defendant Echl, Inc.
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Submission	Response to Board Order/Inquiry
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Date	10/30/2015
Attachments	Status report 103015.pdf(81802 bytes)

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

In the Trademark Opposition of)
Mark: ORLANDO SOLAR BEARS)
Serial No. 85421579, 85421538)
Published: February 21, 2012)
)
DAVID D'AMATO)
)
)
Opposer,)
)
)
)
ECHL, INC.)
)
)
Applicant.)

Opposition No.: 91205687 (parent)
91206135

UPDATE ON CIVIL PROCEEDINGS
AS REQUESTED BY TRADEMARK TRIAL AND APPEAL BOARD

Pursuant to the Board's request, Applicant, through its attorney submits the following status update in the civil matter (Case No. 6:15-cv-00826), currently ongoing in the United States District Court for the Middle District of Florida. The civil matter, originally captioned Case No. CV1: 13-cv-00646 in the United States District Court for the Western District of New York, was transferred to the United States District Court of the Middle District of Florida by order dated May 7, 2015. Defendants in the civil matter (the Applicant and others) filed a motion to dismiss Plaintiff/ Opposer's allegations that was heard by the United States District Court of the Middle District of Florida on September 25, 2015. The Court has granted the Defendants' motion but has yet to file its

order. Applicant expects to have an Order from the Court which dismisses all of Plaintiff's claims and would allow the registration of the trademark applications at issue in this opposition. Applicant will file Order from the District Court of the Middle District of Florida with the Trademark Trial and Appeal Board upon its entry and request that the Opposition be dismissed.

As such, it is respectfully requested that the instant matter before this Board remain suspended pending the final resolution of the aforementioned civil matter.

This the 30th of October, 2015.

Respectfully submitted,
Hendrick Bryant Nerhood Sanders & Otis, LP

/s/Kenneth C. Otis

Kenneth C. Otis

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