

ESTTA Tracking number: **ESTTA629416**

Filing date: **09/26/2014**

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

Proceeding	91209194
Party	Plaintiff Puckmaster LLC
Correspondence Address	JAMES T NIKOLAI NIKOLAI & MERSEREAU PA 900 2ND AVE S STE 820 MINNEAPOLIS, MN 55402 UNITED STATES jim.nikolai@nm-iplaw.com, bonnie.ryan@nm-iplaw.com, april.nelson@nm-iplaw.com
Submission	Other Motions/Papers
Filer's Name	James T. Nikolai
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Date	09/26/2014
Attachments	Notice Regarding Litigation.pdf(63371 bytes )

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

In the Matter of:  
Application Serial No. 85/690,558  
For the mark: PUCKMASTER  
Published in the Official Gazette on January 8, 2013

Puckmaster, LLC,

Opposer,

Opposition No. 91209194

v.

5 Continent, Inc.,

Applicant.

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**OPPOSER'S NOTICE REGARDING LITIGATION**

On October 16, 2014, the Trademark Trial and Appeal Board suspended proceedings in the above-captioned opposition pending disposition of a civil action captioned *Crown Bank v. Landmark Community Bank, N.A., et al.*, Court File No. 27-CV-13-2002. That matter has now been settled. As a result of the settlement, the security interests in and to the PUCKMASTER trademark held by Crown Bank and Landmark Community Bank have been foreclosed upon and whatever interest the debtor and those banks held in the mark have been assigned to Opposer Puckmaster, LLC.

Counsel for the applicant was advised of foregoing facts and was provided copies of the relevant papers. Opposer requested that applicant abandon its application to register the

mark in view of these facts and to settle the opposition. Last evening at 10:10 PM, the undersigned received a response from Applicant's counsel which reads: "My client is not willing to abandon the application." As such, this notice is now being provided so the Trademark Trial and Appeal Board can remove the suspension and reset the dates in the opposition proceedings.

By: James T. Nikolai

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**ATTORNEYS FOR OPPOSER**  
**PUCKMASTER, LLC**

Date: Sept. 26, 2014

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

In the Matter of:  
Application Serial No. 85/690,558  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of OPPOSER'S NOTICE REGARDING LITIGATION, were served upon Alexander Farrell and Frank S. Farrell, F.S. Farrell, LLC, 7401 Metro Blvd, Suite 425, Edina, MN 55439, Alexander@fsfarrell.com and frank@fsfarrell.com (Attorneys for Applicant) by E-mail and First Class Mail this 26th day of September 2014.

  
James T. Nikolai