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

Proceeding	91209617
Party	Plaintiff Xikar, Inc.
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Date	07/16/2015
Attachments	20150716 Response to Applicant's Request for Suspension.pdf(168848 bytes )

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

In re Application Serial No. 85/652,496,  
filed June 14, 2012, CICAR

XIKAR, INC.,	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No. 91209617
	)	
DEBRA WISEBERG D/B/A BRAM	)	
WARREN COMPANY,	)	
	)	
Applicant.	)	
_____	)	

OPPOSER’S RESPONSE TO APPLICANT’S MOTION TO SUSPEND  
PROCEEDINGS FOR 20 DAYS AND VERIFICATION OF COUNTERCLAIM FEE PAID

Opposer hereby consents to Applicant’s request for a twenty (20) day suspension of proceedings and corresponding thirty (30) day extension of deadlines.<sup>1</sup>

However, with regard to Applicant’s claim that the counterclaim fee has been paid, Opposer points out that the fee that was apparently paid was for the original counterclaim that was stricken in its entirety per the Board Order dated July 18, 2014.<sup>2</sup> The currently pending counterclaim was not filed by Applicant until August 14, 2014.

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<sup>1</sup> Notably, if Applicant had called or emailed Opposer’s counsel prior to filing, consent would have been given and the need for Applicant’s motion, this response thereto and perhaps Opposer’s motion for additional suspension and extension (filed concurrently herewith) could have been avoided.

<sup>2</sup> Applicant has not served or otherwise provided any verification or proof of any payment to Opposer.

Accordingly, Opposer believes that Applicant has not yet paid for the most recently filed counterclaim and requests the Board require such payment..

Respectfully submitted,

/Ginnie C. Derusseau/

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Attorneys for Opposer

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Opposer's Response to Applicant's Motion to Suspend Proceedings for 20 Days and Verification of Counterclaim Fee Paid has been served upon Debra Wiseberg d/b/a Bram Warren Company, 18100 S.W. 50 Street, Southwest Ranches, FL 33331 and via e-mail at [bramwarren@bramwarren.com](mailto:bramwarren@bramwarren.com), this 16th day of July 2015.

/Ginnie C. Derusseau/