

ESTTA Tracking number: **ESTTA537294**

Filing date: **05/10/2013**

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

Proceeding	91210437
Party	Defendant FGF Brands, Inc.
Correspondence Address	PAUL W. REIDL LAW OFFICE OF PAUL W. REIDL 241 EAGLE TRACE DR FL 2 HALF MOON BAY, CA 94019-2289  paul@reidllaw.com
Submission	Opposition/Response to Motion
Filer's Name	Paul W. Reidl
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Signature	/pwr/
Date	05/10/2013
Attachments	Stonefire Response.pdf ( 1 page )(35991 bytes )

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

3  
4 Application Serial Nos. 85/851,936, 85/828,957

5 Marks: STONEFIRE, STONEFIRE and Design

6 Class: 30

7 \_\_\_\_\_ )  
8 **STONEFIRE GRILL, INC.** )

9 Opposer, )

10 v. )

11 **FGF BRANDS, INC.** )

12 Applicant. )  
13 \_\_\_\_\_ )

Opposition No: 91210437

**RESPONSE TO “MOTION”  
TO SUSPEND**

14 Opposer has filed a “motion” to stay this proceeding pending the conclusion of Federal  
15 court litigation between the parties. The “motion” consisted of a cover page and a copy of the  
16 Complaint. Since there is neither a formal motion nor a supporting memorandum, the “motion”  
17 does not comply with the Board’s rules. 37 C.F.R. § 2.127(a).

18 However, Applicant agrees that the proceeding should be suspended in accordance with  
19 the Board’s practice. The disposition of the Federal Court case will be dispositive of the  
20 opposition against application no. 85/828,957, and it may materially affect the opposition against  
21 application no. 85/851,936. The efficient administration of justice permits the Board to suspend  
22 the proceedings pending the outcome of the litigation.

23 The Federal Court case is in the expert discovery stage with trial scheduled for later this  
24 year.

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Respectfully submitted,

**LAW OFFICE OF PAUL W. REIDL**



By: \_\_\_\_\_

Dated: May 10, 2013

Paul W. Reidl  
Law Office of Paul W. Reidl  
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Second Floor  
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*Attorney for Applicant,  
FGF Brands, Inc.*

1 **PROOF OF SERVICE**

2 On May 10, 2013, I caused to be served the following document:

3 **RESPONSE TO "MOTION" TO SUSPEND**

4 on Opposer by placing a true copy thereof in the United States mail enclosed in an envelope,  
5 postage prepaid, addressed as follows to their counsel of record at his present business address:

6 Afschineh Latifi  
7 Tucker & Latifi, LLP  
8 160 East 84th Street, Suite 5-E  
9 New York, NY 10028

10 Executed on May 10, 2013 at Half Moon Bay, California.

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