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Filing date: **09/24/2014**

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

Proceeding	91211392
Party	Plaintiff Hallmark Licensing, LLC
Correspondence Address	DAVID N JOHNSON HALLMARK CARDS INC 2501 MCGEE TRAFFICWAY MD 339 KANSAS CITY, MO 64108 UNITED STATES sara.grabill@hallmark.com, david.johnson@hallmark.com
Submission	Other Motions/Papers
Filer's Name	Mark A. Paskar
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Signature	/Mark A. Paskar/
Date	09/24/2014
Attachments	HALLMARK Corrected Notification (2).PDF(55392 bytes)

**CORRECTED OPPOSER'S NOTIFICATION OF DISMISSAL OF CIVIL ACTION
(WITH EXHIBIT A)**

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

In the matter of Application Serial No. 77/457,422
For the Mark: HALLMARK
Published in the Official Gazette on March 5, 2013

HALLMARK LICENSING, LLC)
)
 Opposer,)
v.)
)
HALLMARK INDUSTRIES, INC.)
)
 Applicant.)
)

Opposition No. 91211392

<u>CERTIFICATE OF ELECTRONIC MAIL</u>
I hereby certify that this correspondence is being sent to the TTAB via the Electronic System for Trademark Trials and Appeals (ESTTA) on this 24 th day of September, 2014.
 _____ Mark A. Paskar

OPPOSER'S NOTIFICATION OF DISMISSAL OF CIVIL ACTION

Opposer Hallmark Licensing, LLC ("Opposer") hereby respectfully informs the Board that the civil action styled Hallmark Licensing, LLC and Hallmark Cards, Incorporated v. Hallmark Industries, Inc., Case No. 13-5303 ("Civil Action") was voluntarily dismissed without prejudice by Opposer. The Order of Dismissal without prejudice was entered on September 5, 2014. See Exhibit A. As the present opposition proceeding stands suspended pending final determination of the Civil Action, Opposer respectfully requests that the Board resume opposition proceedings and reset all opposition deadlines (including the deadline to serve initial disclosures) accordingly. Opposer is also filing contemporaneously herewith a Notification of Dismissal of Civil Action in Opposition No. 91215884 as well as separate Motions in the present opposition proceeding and in Opposition No. 91215884, seeking consolidation of Opposition Nos. 91215884 and 91211392.

For the reasons set forth herein, Opposer respectfully requests that the Board resume opposition proceedings and reset all opposition deadlines accordingly.

September 24, 2014

Respectfully submitted,



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**ATTORNEYS FOR HALLMARK LICENSING,
LLC**

Exhibit A

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

HALLMARK LICENSING, LLC et al.

PLAINTIFF

vs.

NO. 13-5303

HALLMARK INDUSTRIES, INC.

DEFENDANT

CLERK'S ORDER OF DISMISSAL

On this 5th day of September, 2014, the plaintiff herein having filed his Notice of Dismissal pursuant to Rule 41(a), Federal Rules of Civil Procedure,

IT IS ORDERED that plaintiff's complaint be, and hereby is dismissed without prejudice.

AT THE DIRECTION OF THE COURT

CHRISTOPHER R. JOHNSON, CLERK

BY: /s/ June Newland
Deputy Clerk

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Opposer's Notification of Dismissal of Civil Action has been served on counsel for Applicant by first class mail postage pre-paid, to the following:

Matthew H. Swyers
The Trademark Company PLLC
344 Maple Avenue West, Suite 151
Vienna, Virginia 22180

Dated: September 24, 2014



Mark A. Paskar