

ESTTA Tracking number: **ESTTA631430**

Filing date: **10/07/2014**

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

Proceeding.	91217606
Applicant	Plaintiff Premio Foods, Inc.
Other Party	Defendant EDS Manufacturing, LLC
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	Yes

Motion for Suspension in View of Civil Proceeding With Consent

The parties are engaged in a civil action which may have a bearing on this proceeding. Accordingly, Premio Foods, Inc. hereby requests suspension of this proceeding pending a final determination of the civil action. Trademark Rule 2.117.

Premio Foods, Inc. has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

Premio Foods, Inc. has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,

/Steven D. Lustig/

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10/07/2014

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

_____)	
PREMIO FOODS, INC.,)	
)	
Opposer,)	
v.)	Opposition No. 91217606
)	Application Serial No. 85/558,771
EDS MANUFACTURING, LLC,)	
)	
Applicant.)	
_____)	

MOTION FOR SUSPENSION WITH CONSENT

Pursuant to Trademark Rule 2.117(a) and TBMP §510.02(a), Premio Foods, Inc., through its undersigned attorneys, requests the suspension of this proceeding pending the outcome of Opposition No. 91206407. The parties hereto are also engaged in Opposition No. 91206407, which may have a bearing on the case.

Premio Foods, Inc. has secured the express consent of all other parties to this proceeding for the suspension requested herein.

Premio Foods, Inc. has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

In view thereof, further action is respectfully solicited.

Respectfully submitted
PREMIO FOODS, INC.



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Date: October 7, 2014

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion for Suspension with Consent is being forwarded this 7th day of October, 2014 to Counsel for Applicant by e-mail, addressed to:

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Steven D. Lustig