

ESTTA Tracking number: **ESTTA738321**

Filing date: **04/06/2016**

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

Proceeding	91219616
Party	Defendant Bank, Daryl
Correspondence Address	MARK TERRY OFFICE OF MARK TERRY 801 BRICKELL AVE , STE 900 MIAMI, FL 33131-2979 UNITED STATES mark@terryfirm.com
Submission	Other Motions/Papers
Filer's Name	Mark Terry
Filer's e-mail	mark@terryfirm.com
Signature	/Mark Terry/
Date	04/06/2016
Attachments	Joint Notice of District Court Determination.pdf(30696 bytes)

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

PRUDENTIAL INSURANCE COMPANY
OF AMERICA

Plaintiff-Opposer,

vs.

DARYL BANK

Defendant-Applicant

Opposition No. 91219616
Serial No. 86184144

JOINT NOTICE OF DISTRICT COURT DETERMINATION

DARYL BANK, the Applicant of Serial No. 86184144, and PRUDENTIAL INSURANCE COMPANY OF AMERICA, Opposer, hereby provide the following Joint Notice regarding the District Court's determination of Opposer's Motion for Sanctions.

The Board's Feb. 24, 2016 Order (docket entry 15 at the Trademark Trial and Appeal Board) states as follows: "within **TWENTY DAYS** after the District Court's determination of Opposer's motion for sanctions, the parties shall so notify the Board so that this proceeding may be called up for appropriate action. Such notification to the Board should include a copy of the District Court's order."

On Mar. 30, 2016, the U.S. District Court for the Southern District of Florida issued an Order (attached as Exhibit 1) adopting the Report and Recommendation on Plaintiff's Motion for Extension of Time and Motion to Enforce Subpoena and for Sanctions (attached as Exhibit A to docket entry 16 at the Trademark Trial and Appeal Board). The aforesaid Order (Exhibit 1) denies the Plaintiff's Motion for Extension of Time to File Motion to Enforce Subpoenas and Motion for Sanctions and denies Plaintiff's Motion to Enforce Subpoenas and for Sanctions.

Respectfully submitted,

/Mark Terry

Mark Terry, Esq.

Florida Bar No. 506151

801 Brickell Avenue, Suite 900

Miami, FL 33131

786-443-7720 voice

786-513-0381 fax

mark@terryfirm.com

Attorney for Applicant

/s/ Amy Brozenic _____

Amy Brozenic

David R. Barnard

Donna P. Gonzales

10851 Mastin Blvd.

Building 82, Suite 1000

Overland Park, KS 66210-1669

Email: ipdocketing@lathropgage.com

abrozenic@lathropgage.com

dbarnard@lathropgage.com

dgonzales@lathropgage.com

Tel: (913) 451-5100

ATTORNEYS FOR OPPOSER