

ESTTA Tracking number: **ESTTA998280**

Filing date: **08/28/2019**

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

Proceeding	91225991
Party	Defendant Intercept Interactive Inc.
Correspondence Address	MARK A BAGHDASSARIAN KRAMER LEVIN NAFTALIS & FRANKEL LLP 1177 AVENUE OF THE AMERICAS NEW YORK, NY 10036 UNITED STATES KLTrademark@kramerlevin.com, dtorniali@kramerlevin.com, mbaghdassarian@kramerlevin.com 212-715-9205
Submission	Response to Board Order/Inquiry
Filer's Name	Jaclyn Ionin
Filer's email	jionin@kramerlevin.com, tjacoby@kramerlevin.com, mbaghdassarian@kramerlevin.com
Signature	/s/ Jaclyn Ionin
Date	08/28/2019
Attachments	KL3-3264602-v1-2019_08_28_Undertone_response.pdf(43931 bytes)

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

In re Application Serial No. : 86/553,029
Mark : UMOTION
International Class : 35
Applicant : Intercept Interactive Inc. DBA Undertone
Filed : March 4, 2015
Published : September 29, 2015

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ADTILE TECHNOLOGIES INC., :
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 Opposer, :
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 v. : Opposition No. 91225991
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 INTERCEPT INTERACTIVE INC. DBA UNDERTONE, :
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 Applicant. :
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APPLICANT’S RESPONSE TO BOARD’S REQUEST FOR STATUS OF CIVIL ACTION

Applicant hereby responds to the Board’s Order dated July 29, 2019 regarding the status of the civil action between Applicant and Opposer that occasioned the suspension of the above-referenced opposition proceeding. Applicant advises the Board that a final order or judgment has not been issued in the parties’ federal litigation. Applicant therefore requests that the present proceedings remain suspended pending final determination of the civil action between the parties.

Respectfully submitted,

Dated: New York, NY
August 28, 2019

KRAMER LEVIN NAFTALIS & FRANKEL LLP
Attorneys for Applicant

/s/ Jaelyn Ionin

By: Jaelyn Ionin
1177 Avenue of the Americas
New York, New York 10036
(212) 715-9193 (telephone)
(212) 715-8000 (fax)
KLtrademark@kramerlevin.com

CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2019, I caused a true and complete copy of the foregoing Applicant's Response to Board's Request for Status of Civil Action to be served by electronic mail upon attorney of record for Opposer as follows:

Jessica Bradley
JONES DAY
51 Louisiana Ave NW
Washington, DC 20001
lrefinetti@jonesday.com
aeraimer@jonesday.com
jbradley@jonesday.com
NYTEF@jonesday.com

/s/ Jaclyn Ionin

Jaclyn Ionin