

ESTTA Tracking number: **ESTTA344799**

Filing date: **04/29/2010**

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

Proceeding	92050628
Party	Defendant Hamco, Inc.
Correspondence Address	NEIL J. COIG ROY, KIESEL, KEEGAN & DENICOLA, PLC 650 POYDRAS STREET, SUITE 2323 NEW ORLEANS, LA 70130 UNITED STATES njc@rkkdlaw.com
Submission	Response to Board Order/Inquiry
Filer's Name	R. Bennett Ford, Jr.
Filer's e-mail	rbf@roykiesel.com
Signature	/R. Bennett Ford, Jr./
Date	04/29/2010
Attachments	Response to Order to Show Cause.pdf (4 pages)(189787 bytes)

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

Venture Group, Inc.

Opposition No. 92050628

Petitioner

Mark: PINKY

Versus

Hamco, Inc.

Application Ser. No. 1,475,976

Respondent

RESPONSE TO ORDER TO SHOW CAUSE DATED MARCH 30, 2010

The parties have entered into an agreement resolving this matter. Counsel for Petitioner advised Respondent's Counsel that Petitioner had executed a Consent and Concurrent Use Agreement on March 10, 2010. (Exhibit A). On March 19, 2010, Counsel for Respondent forwarded to Petitioner's Counsel a copy of the Consent and Concurrent Use Agreement signed by Respondent. (Exhibit B). The Consent and Concurrent Use Agreement itself includes a confidentiality provision, which is why no copy of that agreement is being submitted herewith.

The Consent and Concurrent Use Agreement includes a provision obligating the Petitioner to withdraw the above captioned cancellation petition. The undersigned does not know why the notice of withdrawal remains unfiled with this Board, though he has no reason to believe that a withdrawal will not be filed shortly. In any event, Respondent certainly opposes the entry of a judgment by default in this matter. Respondent further contends that a default judgment adverse to Respondent would be inappropriate in view of the parties' resolution of the matter, a resolution which most certainly did not involve cancellation of Respondent's registration.

In view of the foregoing, Respondent respectfully requests that these proceedings be

suspended for an additional thirty (30) days to give the parties time to implement the conditions of the Consent and Concurrent Use Agreement regarding termination of these proceedings.

Counsel for Respondent attempted to reach counsel for Petitioner to seek Petitioner's consent to the present motion, but was unable to reach her. Accordingly, the present motion is being filed without consent of Petitioner.

Respectfully submitted:



R. Bennett Ford, LA B.R. # 24,093
William David Kiesel, LA B.R. # 7367
ROY KIESEL, apc
2355 Drusilla Lane
Baton Rouge, LA 70809
(225) 927-9908
(225) 926-2685 (fax)

Dated: April 29, 2010

ATTORNEYS FOR RESPONDENT

Certificate of Service

I certify that a true copy of this RESPONSE TO ORDER TO SHOW CAUSE was served on counsel for by depositing the same with the U.S. Postal Service in a sealed envelope, First Class Mail with postage thereon fully prepaid and addressed to Michelle Katz, 4570 VAN NUYS Blvd. #568 Sherman Oaks, CA 91403 and via email to michelle@mkatzlaw.com on this 29th day of April, 2010.



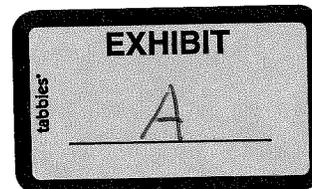
Ashley Braud

>
> ----- Original Message -----
> From: "Neil Coig" <njc@rkkdlaw.com>
> To: "William D. Kiesel" <wdk@rkkdlaw.com>
> Sent: Friday, March 12, 2010 5:21 PM
> Subject: FW: Hamco--Pinky

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>
>>
>>
>> -----Original Message-----
>> From: michelle katz [mailto:mkatzlaw@yahoo.com]
>> Sent: Wednesday, March 10, 2010 2:10 PM
>> To: neil coig
>> Subject: Hamco--Pinky

>>
>> Hi Neil,
>> My client signed the Consent and Concurrent Use Agreement. Can you send
>> me
>> a fax or an original of your client's signed copy? I'll send you our
>> original signed copy and you can send me an original signed copy of the
>> Hamco signed copy. After we each confirm receipt we can terminate the
>> cancellation proceeding.
>> Thanks,
>> Michelle

>>
>> Michelle Katz
>> ph:(818) 783-9729
>> fax:(818) 990-8281
>>
>>
>
>



Sophia Alurkar

From: "Sophia Alurkar" <sda@roykiesel.com>
To: <mkatzlaw@yahoo.com>
Cc: "William D. Kiesel" <wdk@rkkdlaw.com>
Sent: Friday, March 19, 2010 2:06 PM
Attach: Executed Agreement..pdf
Subject: Hamco. Pinky. Our File: 10,073.605

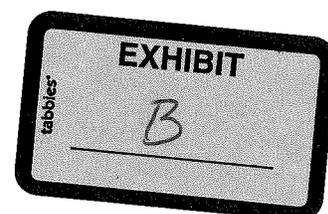
Michelle,

As a follow-up to your email correspondence with Neil Coig of March 10, 2010, please find attached an executed copy of the Consent and Concurrent Use Agreement signed by our client.

I can also send you the original Agreement, once we receive it from the client.

Please take the necessary steps to terminate the cancellation proceeding, per your correspondence with Neil.

Thanks
Sophia Alurkar
ROY, KIESEL, KEEGAN & DENICOLA
2355 DRUSILLA LANE
BATON ROUGE, LA 70809



3/22/2010