

ESTTA Tracking number: **ESTTA375409**

Filing date: **10/27/2010**

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

Proceeding.	92053124
Applicant	Defendant MOROCCANOIL, INC.
Other Party	Plaintiff Primary One, LLC

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, MOROCCANOIL, INC. hereby requests suspension of this proceeding pending a final determination of the civil action. Trademark Rule 2.117.

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

MOROCCANOIL, 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 First Class Mail on this date.

Respectfully submitted,
/William C. Conkle/
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10/27/2010

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

PRIMARY ONE, LLC

Petitioner,

v.

MOROCCANOIL, INC.

Registrant.

Cancellation No. 92053124

**STIPULATION SUSPENDING
PROCEEDINGS**

WHEREAS, on or about February 25, 2010, Registrant filed Civil Action No. CV 10-01430-DMG (AGR) in United States District Court for the Central District of California (the "District Court Action");

WHEREAS, on or about May 6, 2010, Registrant filed its First Amended Complaint joining Petitioner in the District Court Action;

WHEREAS, on or about September 30, 2010, Petitioner filed its Counterclaim against Registrant in the District Court Action;

WHEREAS, the parties and the issues in the District Court Action are common to those involved in the captioned proceedings; and

WHEREAS, this stipulation is made in good faith and not for the purpose of delay.

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WHEREFORE, the parties hereby stipulate and agree to the suspension the captioned proceedings, pending disposition of the District Court Action.

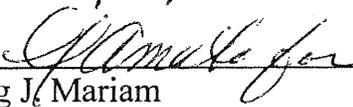
Dated: 10/26/10

By: 

William C. Conkle
Attorneys for Registrant Moroccanoil, Inc.

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Dated: 10/26/10

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