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

Proceeding	92054069
Party	Defendant Skydive Arizona, Inc.
Correspondence Address	SID LEACH SNELL WILMER LLP 400 E VAN BUREN ST PHOENIX, AZ 85004 2202 UNITED STATES sleach@swlaw.com, dbarker@swlaw.com, lwood@swlaw.com, ipdocket@swlaw.com, rmartindale@swlaw.com
Submission	Other Motions/Papers
Filer's Name	David G. Barker
Filer's e-mail	dbarker@swlaw.com,sleach@swlaw.com,lwood@swlaw.com,ipdocket@swlaw.com,rmartindale@swlaw.com
Signature	/David G. Barker/
Date	06/14/2013
Attachments	Hogue-Skydive TTAB Notice of Trial in Related Case.pdf(9922 bytes)

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

In the matter of Registration No. 3,099,847 (Application Serial No. 76/641,146)

MARK: **SKYDIVE ARIZONA**

Registered on the Principal Register on June 6, 2006

Marc Hogue,

Petitioner,

vs.

Skydive Arizona, Inc.

Respondent.

Cancellation No. 92/054,069

**NOTICE OF TRIAL IN RELATED
CASE**

Petitioner Marc Hogue and Respondent Skydive Arizona, Inc. hereby give notice to the Board of an upcoming trial, beginning July 30, 2013, in *Skydive Arizona, Inc. v. Marc Hogue et al.*, Case No. CV 2006-015563, Superior Court of Arizona, Maricopa County (the “Arizona Action”). The Arizona Action may have a bearing on this cancellation proceeding under 37 C.F.R. § 2.117(a) because the Arizona Action includes (1) claims by Skydive Arizona under the Lanham Act relating to the registered trademark at issue here: SKYDIVE ARIZONA (Reg. No. 3,099,847), and (2) the defendants’, including Marc Hogue’s, defenses to those claims. Therefore, the parties stipulate and agree that this cancellation proceeding should be suspended until after trial and post-trial motions have been completed in the Arizona Action.

The parties recognize that the Board’s June 10, 2013 order has already suspended this proceeding until the testimony deposition of Alan Fink on written questions has been completed. The parties anticipate that this deposition on written questions will not be completed until after trial and post-trial motions in the Arizona Action have concluded, so the parties do not believe

that further action by the Board is necessary at this point. However, the parties submit this notice and stipulation to inform the Board of the status of the Arizona Action and apprise the Board of the expected timing for concluding the deposition on written questions. Within twenty days of the completion of the deposition, the parties will file a notice with the Board so that the remaining deadlines in this proceeding may be reset.

Respectfully submitted, this 14th day of June, 2013.

JENNINGS, STROUSS & SALMON, PLC

SNELL & WILMER L.L.P.

By /Jimmie Pursell/
Jimmie Pursell
Attorneys for Petitioner
Marc Hogue

By /David G. Barker/
David G. Barker
Attorneys for Respondent
Skydive Arizona, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of June, 2013, I served a true and complete copy of the foregoing NOTICE OF TRIAL IN RELATED CASE by sending it via email, pursuant to the parties' agreement, to the following email addresses:

pjohnson@jsslw.com, jpursell@jsslw.com, vkarpuk@jsslw.com, and
dchristensen@jsslw.com

A hardcopy will be sent within one business day via first-class mail to:

Jimmie Pursell
Jennings, Strouss & Salmon, PLC
One East Washington Street, Suite 1900
Phoenix, AZ 85004
Attorneys for Petitioner

By: /David G. Barker/
David G. Barker