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Filing date: **08/14/2012**

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

Proceeding	92054109
Party	Defendant Interplexus, Inc.
Correspondence Address	INTERPLEXUS INC 6613 S 192ND PLACE #K103 KENT, WA 98032 UNITED STATES daniel.cho@mccormickbarstow.com, melany.hertel@mccormickbarstow.com
Submission	Other Motions/Papers
Filer's Name	Daniel S. Cho
Filer's e-mail	daniel.cho@mccormickbarstow.com,melany.hertel@mccormickbarstow.com, tim.buchanan@mccormickbarstow.com,rosanna.herrick@mccormickbarstow.com
Signature	/Daniel S. Cho/
Date	08/14/2012
Attachments	Interplexus_Status.pdf ( 3 pages )(6754 bytes )

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

In the Matter of:

Registration No.: 2,740,222  
Registration Date: July 22, 2003  
Mark: SERIPHOS

T.E. NEESBY, INC.,

Petitioner,

v.

INTERPLEXUS CORPORATION,

Registrant.

**Cancellation No. 92054109**

**STATUS UPDATE OF CIVIL  
ACTION IN RESPONSE TO  
BOARD ORDER [Dkt. #6]**

**STATUS UPDATE RE: PENDING CIVIL ACTION**

In response to the Board's Order, dated July 27, 2012, Registrant INTERPLEXUS CORPORATION ("Registrant") hereby submits this status update as to the civil action known as *Interplexus Corporation v. T. E. Neesby, Inc. et al.*, presently pending before the United States District Court, Eastern District of California, Case No. 1:11-cv-00597-AWI-SMS, filed on April 13, 2011 (the "Federal District Action").

The Federal District Action is continuing, and the parties thereto are currently engaged in discovery, with no final determination having yet been made therein. Accordingly, Registrant requests that the stay remain in effect pursuant to the motion with consent filed herein [*i.e.* Dkt. #4] and order thereon [Dkt. # 5], pending a final determination of the Federal District Action.



**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that the foregoing **STATUS UPDATE OF CIVIL ACTION IN RESPONSE TO BOARD ORDER [Dkt. #6]** was filed electronically with the Trademark Trial and Appeal Board on this 14<sup>th</sup> day of August 2012.

\_\_\_\_\_  
/Daniel S. Cho/

Daniel S. Cho

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing **STATUS UPDATE OF CIVIL ACTION IN RESPONSE TO BOARD ORDER [Dkt. #6]** was served upon counsel for Petitioner, T.E. NEESBY, INC., this 14<sup>th</sup> day of August 2012, by sending the same via

by First Class U.S. Mail, postage prepaid to:

Angus C. Fox, III  
4093 N. Imperial Way  
Provo, UT, 84604-5386  
*Attorney for Petitioner*  
T.E. NEESBY, INC.

\_\_\_\_\_  
/Melany Hertel/

Melany Hertel