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Filing date: **07/06/2016**

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

Proceeding	92054949
Party	Defendant Engage Healthcare Communications, LLC
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Submission	Response to Board Order/Inquiry
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Signature	/David W. Phillips/
Date	07/06/2016
Attachments	Cancelation No. 92054949 RESPONSE TO BOARD ORDER (executed) 07-Jul-2016.pdf(46383 bytes )

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

In the Matter of Registration No. 3927515  
Registration Date: March 8, 2011

Intellisphere, LLC,	)	
	)	
Petitioner,	)	Cancellation No. 92054949
	)	
v.	)	
	)	
Engage Healthcare	)	
Communications, LLC	)	
	)	
Respondent.	)	
	)	

**RESPONSE TO ORDER REQUESTING STATUS OF PENDING DISTRICT COURT  
DETERMINATION AS THE BASIS FOR SUSPENSION OF MATTER**

Respondent hereby responds to the order issued by the Trademark Trial and Appeal Board (the "Board") on June 23, 2016. With respect to the pending federal district court lawsuit that was the basis for suspension of this proceeding, such lawsuit is still pending. More specifically, the matter is in the midst of discovery. The mark at issue in this matter is made at issue in the District Court by the First Amended Complaint, which remains in contention.

Currently, the parties in the District Court action are engaged in electronic discovery under the direction of the Magistrate Judge. A status conference will be held in early to mid-July, 2016, and it is expected that the electronic discovery will extend for some undetermined period thereafter. There is currently no extended schedule for post-electronic discovery, so there is no estimate of a discovery end date or a trial date.

Based on the foregoing, Respondent believes that good cause continues to exist for this proceeding to remain suspended.

Respectfully submitted,

**LECLAIRRYAN**

*/s/ David W. Phillips*

Dated: July 7, 2016

By: \_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I hereby certify that that pursuant to CFR 2.101(b), a true and correct copy of the foregoing ORDER REQUESTING STATUS OF PENDING DISTRICT COURT DETERMINATION AS THE BASIS FOR SUSPENSION OF MATTER has been properly served via first class mail on Opposer's Attorney of Record, this 7th day of July, 2016, at the following address:

FRANK L POLITANO  
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UNITED STATES

  
Yvonne D. D'Erasmus