

ESTTA Tracking number: **ESTTA704282**

Filing date: **10/23/2015**

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

Proceeding	92058716
Party	Plaintiff Sazerac Company, Inc.
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Date	10/23/2015
Attachments	SazeracPrichardsStatustoTTAB.pdf(14172 bytes )

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

In the matter of Registration No. 4,420,193  
For the Trademark DOUBLE BARRELED  
Registered: October 22, 2013  
Registrant: Prichard's Distillery, Inc.

SAZERAC COMPANY, INC.,	)	
	)	
Petitioner,	)	
	)	Cancellation No. 92058716
v.	)	
	)	
PRICHARD'S DISTILLERY, INC.,	)	
	)	
Registrant.	)	
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**PETITIONER'S STATUS REPORT ON PENDING CIVIL LITIGATION**

Petitioner Sazerac Company, Inc. ("Sazerac") hereby responds to the Board's September 29, 2015 inquiry regarding the status of *Prichard's Distillery, Inc. v. Sazerac Company, Inc.*, No. 01646 (M.D. Tenn. filed Aug. 11, 2014), currently pending before the United States District Court for the Middle District of Tennessee (the "District Court Action"). The Trademark Trial and Appeal Board suspended the instant cancellation proceeding until the disposition of the District Court Action.

Pursuant to the District Court's Joint Initial Case Management Order issued October 30, 2014 (the "Order"), Sazerac and Registrant Prichard's Distillery, Inc. ("Registrant") (collectively, "the Parties") concluded fact discovery in the District Court Action on May 1, 2015, and expert discovery on August 7, 2015. The Parties filed cross-motions for summary judgment on September 2, 2015, opposition briefs to the cross-motions for summary judgment on September 29, 2015, and reply briefs to the oppositions on October 13, 2015. The District

Court has not yet issued a ruling on either motion for summary judgment. Trial in the District Court Action is scheduled to begin on January 19, 2016.

In light of the foregoing, Sazerac respectfully requests that the instant cancellation proceeding remain suspended pending the outcome of the District Court Action.

Respectfully submitted,

Date: October 23, 2015

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By: *Brendan J. Hughes*

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*Counsel for Petitioner Sazerac Company, Inc.*

**CERTIFICATE OF TRANSMITTAL AND SERVICE**

I hereby certify that Petitioner's Status Report on Pending Civil Litigation is being electronically transmitted in PDF format to the Trademark Trial and Appeal Board through the Electronic System for Trademark Trials and Appeals (ESTTA) on the date indicated below.

I hereby further certify that on the date indicated below, a true and correct copy of this Status Report was placed in the United States Mail via First Class Mail, addressed to counsel for Registrant Prichard's Distillery, Inc. at counsel's address of record as well as the address currently used by Registrant's counsel in the District Court Action:

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Date: October 23, 2015

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