

ESTTA Tracking number: **ESTTA789879**

Filing date: **12/16/2016**

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

Proceeding	92059608
Party	Defendant Scott E. Grebler
Correspondence Address	ALLA ZAGREBELSKY ZAGREBELSKY LAW PA 2202 N WEST SHORE BLVD SUITE 200 TAMPA, FL 33607 UNITED STATES eservice@zagrebelskylaw.com
Submission	Other Motions/Papers
Filer's Name	Alla Zagrebelsky, Esq.
Filer's e-mail	eservice@zagrebelskylaw.com
Signature	/Alla Zagrebelsky/
Date	12/16/2016
Attachments	2016-12-16 Status Update Trademark Grebler.pdf(149772 bytes)

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

CAROLL A. DELO,
Petitioner,

Cancellation No.: 92059608

v.

SCOTT E. GREBLER,
Respondent.

RESPONDENT'S STATUS UPDATE

Respondent, Scott E. Grebler, through his respective undersigned counsel, hereby responds to the Status Order issued on November 16, 2016 as follows:

1. The civil action, Case No. 14-CA-007981, in the Thirteenth Judicial Circuit in Hillsborough County, Florida ("State Case") is still active and ongoing.
2. On July 14, 2016 parties in the civil action attended a hearing on Plaintiff's Motion to Dismiss Counterclaim of Defendant Carroll Ann Delo. An order staying the counterclaim was signed on August 2, 2016, and is attached herein as Exhibit "A".
3. The Respondent hereby respectfully requests the Board that the proceedings in this case remain suspended, pending the final disposition of the State Case.

Dated: December 16, 2016

/s/ Alla Zagrebelsky
Alla Zagrebelsky – FBN 054106
eservice@zagrebelskylaw.com
ZAGREBELSKY LAW P.A.
2202 N. West Shore Blvd., Suite 200
Tampa, FL 33607
Telephone: (813) 579-1859
Facsimile: (813) 425-7741
Attorneys for Respondent

Exhibit A

IN THE CIRCUIT COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CIVIL ACTION

SCOTT E. GREBLER,

Case No.: 14-ca-007981

Plaintiff,

v.

JOSEPH J. CASTELLANO; CASTELLANO
COSMETIC SURGERY CENTER, P.A.;
UNKNOWN DEFENDANT #1; and
CAROLL ANN DELO,

Defendants.

**ORDER STAYING COUNTERCLAIM
OF DEFENDANT CARROLL ANN DELO**

THIS CAUSE came before the Court for hearing on July 14, 2016 on Scott E. Grebler's Motion to Dismiss Counterclaim of Defendant Carroll Ann Delo for Lack of Subject Matter Jurisdiction and the Court having reviewed the motion, response, heard argument of counsel and being otherwise fully advised in the premises, hereby orders as follows:

1. Defendant Carroll Ann Delo's Counterclaim is STAYED pending the outcome of the trademark cancellation proceeding No.: 92059608 before the United States Patent and Trademark Office.

2. Defendant Carroll Ann Delo is granted leave to amend her Counterclaim to amend the claim(s) and seek remedies other than cancellation of the trademark.

ORDERED AND ADJUDGED on _____, Hillsborough County, Florida.

Electronically Conformed 8/2/2016

Honorable Judge Scott Stephens
Circuit Court Judge

Copies furnished to:
Brad F. Barrios, Esquire
Kenneth G. Turkel, Esquire
Alla Zagrebelsky, Esquire