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:

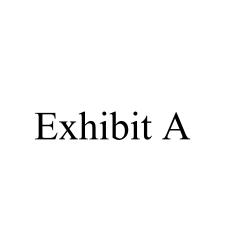
- 1. The civil action, Case No. 14-CA-007981, in the Thirteenth Judicial Circuit in Hillsborough County, Florida ("State Case") is still active and ongoing.
- 2. On July 14, 2016 parties in the civil action attended a hearing on Plaintiff's Motion to Dismiss Counterclaim of Defendant Caroll Ann Delo. 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



## 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 O OF DEFENDANT CAL			
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 me	otion, response, heard argument of counsel and		
being otherwise fully advised in the premises, here	eby orders as follows:		
1. Defendant Carroll Ann Delo's Counterclaim is STAYED pending the outcome of			
the trademark cancellation proceeding No.: 920	059608 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 c	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