

ESTTA Tracking number: **ESTTA675214**

Filing date: **06/01/2015**

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

Proceeding	92060880
Party	Plaintiff Union Wine Company
Correspondence Address	PAUL W REIDL LAW OFFICE OF PAUL W REIDL 241 EAGLE TRACE DRIVE, SECOND FLOOR HALF MOON BAY, CA 94019 UNITED STATES paul@reidllaw.com
Submission	Motion to Suspend for Civil Action
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Date	06/01/2015
Attachments	Motion to Suspend.pdf(87892 bytes)

1 **UNITED STATE PATENT AND TRADEMARK OFFICE**
2 **BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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4 Registration No. 4,618,420

5 Trademark: BELLA UNION

6 Goods: Wine in Class 33

7 _____)
8 **UNION WINE COMPANY,**)

9 Petitioner,)

10 v.)

11 **FN CELLARS, LLC,**)

12 Respondent.)
_____)

Cancellation No. 92060880

MOTION TO SUSPEND

13 Pursuant to TBMP Section 510.02, Respondent hereby requests that these proceedings be
14 suspended by the Board pending the outcome of Case No. 3:15-cv-02301 filed by Respondent
15 in the United States District Court for Northern District of California. A copy of the Complaint is
16 attached as Exhibit 1.

17 TBMP Section 510.02(a) states: "Whenever it comes to the attention of the Board that a
18 party or parties to a case pending before it are involved in a civil action which may have a
19 bearing on the Board case, proceedings before the Board may be suspended until final
20 determination of the civil action." The civil action seeks declaratory relief of non-infringement and
21 re-alleges its counterclaim herein as a Claim for Cancellation of Petitioner's registration. If it
22 survives a motion to dismiss, the civil action will inevitably decide the issues raised in this
23 proceeding.

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EXHIBIT 1