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

Proceeding	92061974
Party	Defendant Balance Studios Inc.
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Attachments	Notice Regarding Federal Action.pdf(80224 bytes )

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

Cybernet Entertainment, Inc.	)	
	)	
Petitioner,	)	
	)	
v.	)	Cancellation No. 92061974
	)	
Balance Studios, Inc.,	)	
	)	
Respondent/Registrant.	)	

**NOTICE REGARDING FEDERAL COURT ACTION**

Petitioner filed this action on July 30, 2015. On August 11, 2015, Respondent filed a motion to suspend the present action pending the resolution of an action between the same parties in the Northern District of California involving overlapping issues. On August 31, 2015, the Board suspended the present proceeding.

Respondent wishes to inform the Board that the Federal Court action was both voluntarily dismissed and re-filed on September 3, 2015. The dismissal and re-filing was necessary in order to name the proper plaintiff. Respondent further notes that the respondent named in this proceeding, Balance Studios, Inc. has been dissolved, and was dissolved at the time that the Federal Action was initiated, and at the time that the present proceeding was initiated. The entity that was formerly named Balance Studios, Inc. is now operating as Balance Studio, Inc. The trademark at issue in this proceeding is currently owned by Balance Studio, Inc.

Respondent submits that the dismissal and re-opening of the Federal Court action was a necessary formality. Respondent requests that the Board either dismiss the present action in light of the named Respondent's corporate status, or continue to stay the present proceeding pending resolution of the action in Federal Court.

Dated: September 3, 2015

Respectfully submitted,



Heather R. Norton  
Attorney for Respondent

