

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

_____)	
Empire Iron Works, Inc.,)	Opposition No. 91168356	
)		
Opposer)		
v.)	Serial No. 78456640	
)		
Empire Home Services LLC,)	Mark: EMPIRE TODAY	
)		
Applicant.)		
_____)	

Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313

APPLICANT'S REQUEST TO CONTINUE SUSPENSION
OF OPPOSITION PROCEEDING

In connection with the correspondence mailed by the Board on March 13, 2007, Applicant Empire Home Services LLC ("Applicant") responds as follows:

1. The civil action captioned "Empire Home Services LLC v. Empire Iron Works, Inc., assumed name Empire Doors and Windows" and filed in the U.S. District Court for the Eastern District of Michigan, Southern Division, under Case No. 05-72584 (the "Civil Action"), is pending and to date there has been no final disposition on the merits.

2. The decision of the District Court in the Civil Action could be dispositive of, or have a bearing on, the issues in this Opposition Proceeding.

3. In view of the foregoing, and pursuant to Trademark Rule 2.117(a), it is respectfully submitted that continued suspension by the Board in connection with this Opposition Proceeding would be appropriate.



03-22-2007

WHEREFORE, Applicant respectfully requests that suspension of this Opposition Proceeding be extended and continued until such time as the Civil Action between the parties is terminated.

Dated: March 19, 2007

Respectfully,

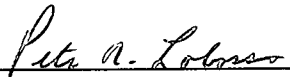


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Empire Home Services LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the forgoing Motion of Empire Home Services LLC to Amend Trademark Application has been served on Empire Iron Works. Inc., by mailing said copy on March 20, 2007, via First Class Mail, postage prepaid to:

Jeffrey P. Thennisch
Dubrusin & Thennisch
29 W. Lawrence Street, Suite 210
Pontiac, Michigan 48342



Peter N. Lobasso