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Filing date: **09/28/2011**

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

Proceeding	91190745
Party	Plaintiff The New York State Catholic Health Plan, Inc. d/b/a Fidelis Care New York
Correspondence Address	PETER S SLOANE LEASON ELLIS LLP 81 MAIN STREET, SUITE 503 WHITE PLAINS, NY 10601 UNITED STATES sloane@leasonellis.com
Submission	Motion to Suspend for Civil Action
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Date	09/28/2011
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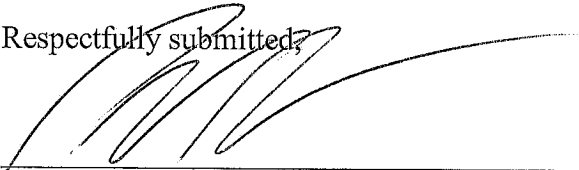
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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THE NEW YORK STATE CATHOLIC HEALTH	:	
PLAN, INC. D/B/A FIDELIS CARE NEW YORK,	:	
	:	
Opposer,	:	
	:	
v.	:	Opposition No. 91190745
	:	
US FIDELIS, INC.,	:	
	:	
Applicant.	:	
	:	
-----X	:	

**OPPOSER'S RESPONSE TO STATUS INQUIRY**

Opposer, The New York State Catholic Health Plan, Inc. d/b/a Fidelis Care New York, by and through its attorneys, Leason Ellis LLP, hereby responds to the Order mailed on August 29, 2011. The civil action which occasioned the suspension of this proceeding has been dismissed as Applicant, US Fidelis, Inc., has filed a bankruptcy petition in the United States Bankruptcy Court for the Eastern District of Missouri (Case No. 10-41902). Opposer respectfully requests that the Board continue the suspension pending the disposition of the bankruptcy action. Applicant's attorney, Annette Heller, has consented to this request.

Dated: September 28, 2011

Respectfully submitted,  
  
\_\_\_\_\_  
Peter S. Sloane

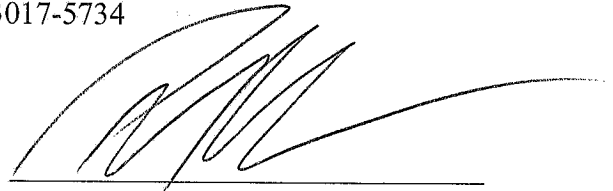
LEASON ELLIS LLP  
One Barker Avenue, Fifth Floor  
White Plains, New York 10601  
Tel.: (914) 821-9073

Attorneys for Opposer

**CERTIFICATE OF SERVICE**

It is hereby certified that a true and correct copy of the foregoing **OPPOSER'S RESPONSE TO STATUS INQUIRY** was served by First-Class mail, postage prepaid, upon the attorney of record for Applicant, this 28th day of September, 2011, addressed as follows:

Annette P. Heller, Esq.  
Heller & Associates  
14323 S. Outer Forty Drive  
Station 512 S  
Town & Country, Missouri 63017-5734

A handwritten signature in black ink, appearing to read 'Peter S. Sloane', is written over a horizontal line.

Peter S. Sloane