UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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WF/vw

December 20, 2019

Opposition No. 91209978

Tissot SA

v.

American Exchange LLC

Winston Folmar, Interlocutory Attorney:

This case has been suspended pending disposition of a civil action involving the same parties, namely, Case No. 17-cv-04737-VW-OTW in the United States District Court for the Southern District of New York (the "Federal Case"). On September 10, 2019, Applicant responded to the Board's order stating that the Federal Case had reached final disposition with the District Court having entered a default judgment declaring that Applicant's I-TOUCH Mark is not confusingly similar to Opposer's T TOUCH Mark. 54 TTABVUE. Applicant included a copy of the District Court judgment, filed August 23, 2019. *Id.* at 6-7. Opposer has not responded to the Board's inquiry order or Applicant's aforementioned response.

In view of the foregoing, Opposer is allowed until **thirty days from the date of this order** to show cause why judgment should not be entered against it based upon

the findings of the District Court. If Opposer fails to respond, the proceeding will be denied with prejudice.

Pending a response from Opposer, proceedings remain suspended.

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