

ESTTA Tracking number: **ESTTA630598**

Filing date: **10/02/2014**

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

Proceeding	91215415
Party	Defendant Empire Resorts, Inc.
Correspondence Address	CHARLES N QUINN FOX ROTHSCHILD LLP 747 CONSTITUTION DRIVE, SUITE 100 EXTON, PA 19341 UNITED STATES cquinn@foxrothschild.com, dmc- gregor@foxrothschild.com, cesch@foxrothschild.com, ipdock- et@foxrothschild.com
Submission	Other Motions/Papers
Filer's Name	CHARLES N. QUINN
Filer's e-mail	cquinn@frof.com, dmcgregor@frof.com, cesch@frof.com, dwilliams@frof.com, ipdocket@frof.com
Signature	/CHARLES N. QUINN/
Date	10/02/2014
Attachments	27608119_1.pdf(61084 bytes)

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

LVGV, LLC	:	Opposition 91215415
	:	
	Opposer	: Application 85/733,861
v.	:	
	:	Mark: "ME. (stylized)"
Empire Resorts, Inc.	:	
	:	Class: 28
	Applicant	:
	:	Interlocutory Attorney: Mary Catherine Faint

**INQUIRY REGARDING PENDING MOTION
FOR JUDGMENT ON THE PLEADINGS**

Applicant, Empire Resorts, Inc., filed a Motion for Judgment on the Pleadings in this case on 16 September 2014.

Empire Resorts, Inc. notes 37 CFR 2.127(d) which reads as follows in pertinent part:

When any party files...a motion for judgment on the pleadings...or any other motion which is potentially dispositive of a proceeding, the case will be suspended by the Trademark Trial and Appeal Board with respect to all matters not germane to the motion and no party should file any paper which is not germane to the motion except as otherwise specified in the Board's suspension order. If the case is not disposed of as a result of the motion, proceedings will be resumed pursuant to an order of the Board when the motion is decided.

Empire Resorts, Inc. respectfully directs the attention of the Board to this provision of Title 37 of the Code of Federal Regulations and respectfully inquires as to when and whether a

suspension order will be issued by the Board with respect to this matter and, if no suspension order is to be issued, the reason(s) for the same.

Respectfully submitted,

FOX ROTHSCHILD LLP

/Charles N. Quinn/

Charles N. Quinn

Attorney for Applicant

Fox Rothschild LLP

Eagleview Corporate Center

747 Constitution Drive, Suite 100

Exton, PA 19341

610-458-4984

610-458-7337 (fax)

cquinn@foxrothschild.com

www.foxrothschild.com

Date: 1 October 2014

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

LVGV, LLC	:	Opposition 91215415
	:	
	Opposer	: Application 85/733,861
v.	:	
	:	Mark: "ME. (stylized)"
Empire Resorts, Inc.	:	
	:	Class: 28
	Applicant	:
	:	Interlocutory Attorney:
	:	Mary Catherine Faint

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the Inquiry Regarding Pending Motion for Judgment on the Pleadings was served on Opposer's counsel on the date listed below by e-mail, pursuant to an agreement between the parties, addressed as follows:

Hara K. Jacobs
Troy Larson
BALLARD SPAHR LLP
1735 Market Street, 51st Floor
Philadelphia, PA 19103
jacobsh@ballardspahr.com
larsont@ballardspahr.com

Date: 2 October 2014

/Charles N. Quinn/
Charles N. Quinn