

ESTTA Tracking number: **ESTTA810141**

Filing date: **03/29/2017**

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

Proceeding	91229249
Party	Defendant T.R.B. International SA
Correspondence Address	CHRISTOPHER M WEIMER NORTON ROSE FULBRIGHT US LLP 98 SAN JACINTO BLVD STE 1100 AUSTIN, TX 78701-4255 UNITED STATES chris.weimer@nortonrosefulbright.com, aoipdocket@nortonrosefulbright.com, nyipdocket@nortonrosefulbright.com
Submission	Other Motions/Papers
Filer's Name	Christopher Weimer
Filer's e-mail	chris.weimer@nortonrosefulbright.com, martin.rosenfeld@nortonrosefulbright.com, nyipdocket@nortonrosefulbright.com
Signature	/Christopher Weimer/
Date	03/29/2017
Attachments	Opposition No 91229249 Certina v. T.R.B. Notice Of Final Determination Of Foreign Proceeding.pdf(83830 bytes )

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

In the matter of Application Serial No. 79/169,426

By T.R.B. International SA for the Mark



Filed on May 7, 2015, Published in the *Official Gazette* on March 29, 2016

CERTINA A.G.  
(CERTINA S.A.)  
(CERTINA LTD.),  
Opposer;

v.

T.R.B. INTERNATIONAL SA,  
Applicant.

Opposition No. 91229249

**NOTICE OF FINAL DETERMINATION OF FOREIGN PROCEEDING**

T.R.B. International SA (“Applicant”) hereby informs the Board that the foreign proceeding that is the basis for suspension of Opposition No. 91229249 has been finally determined. Pursuant to the Board’s Order of September 6, 2016 granting a suspension of this proceeding, the parties must notify the Board after a final determination of the foreign proceeding. A proceeding is considered to be finally determined when a decision on the merits of the case has been rendered, and no appeal has been filed therefrom or all appeals have been decided. *See* TBMP § 510.02(b). Applicant has received notice that no appeal has been filed from the decision on the merits of Opposition No. 14390 in the Swiss Federal Institute of Intellectual Property, which was the basis for suspension of this proceeding.

Applicant advises the Board that Applicant’s counsel has conferred with Opposer’s counsel and Opposer consents to the filing of this Notice.

Dated: March 29, 2017

Respectfully submitted,

/s/ Christopher M. Weimer  
Christopher M. Weimer  
Norton Rose Fulbright US LLP  
98 San Jacinto Blvd., Suite 1100  
Austin, Texas 78701  
Tel: 512.474.5201  
Fax: 512.536.4598  
[Chris.weimer@nortonrosefulbright.com](mailto:Chris.weimer@nortonrosefulbright.com)  
[nyipdocket@nortonrosefulbright.com](mailto:nyipdocket@nortonrosefulbright.com)

Linda M. Merritt  
Norton Rose Fulbright US LLP  
2200 Ross Avenue, Suite 3600  
Dallas, TX 75201-7932  
Tel: 214.855.8000  
Fax: 214.855.8200  
[Linda.merrit@nortonrosefulbright.com](mailto:Linda.merrit@nortonrosefulbright.com)

Attorneys for Applicant

### **CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the Notice of Final determination of Foreign Proceeding has been sent via e-mail to Opposer's attorney of record at the address indicated below, today, March 29, 2017.

Jeffrey A. Lindenbaum  
Collen IP  
The Holyoke Manhattan Building  
80 South Highland Ave.  
Ossining, NY 10562  
(914) 941-5668 (tel)  
(914) 941-6091 (fax)  
[jlindenbaum@collenip.com](mailto:jlindenbaum@collenip.com)

/s/ Christopher M. Weimer  
Christopher M. Weimer