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Filing date: **11/13/2018**

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

Proceeding	91230559
Party	Plaintiff American Express Marketing & Development Corp.
Correspondence Address	TIMOTHY J KELLY & JESSICA HINEY MCCARTER & ENGLISH LLP 825 EIGHTH AVENUE 31ST FLOOR NEW YORK, NY 10019 UNITED STATES jhiney@mccarter.com, tkelly@mccarter.com, dgong@mccarter.com 212-609-6880
Submission	Other Motions/Papers
Filer's Name	Timothy J. Kelly
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Date	11/13/2018
Attachments	Response to October 31 Order.pdf(104099 bytes)

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

AMERICAN EXPRESS MARKETING:
& DEVELOPMENT CORP.,

Opposer,

v.

TUNG B. VO,

Applicant.

Opposition No.: 91230559 (Parent)
Serial No.: 86894103
Mark: AMERIXPRESS

Opposition No.: 91232714
Serial No.: 86881103
Mark: AMERIXPRESS, LLC

RESPONSE TO BOARD ORDER DATED OCTOBER 31, 2018

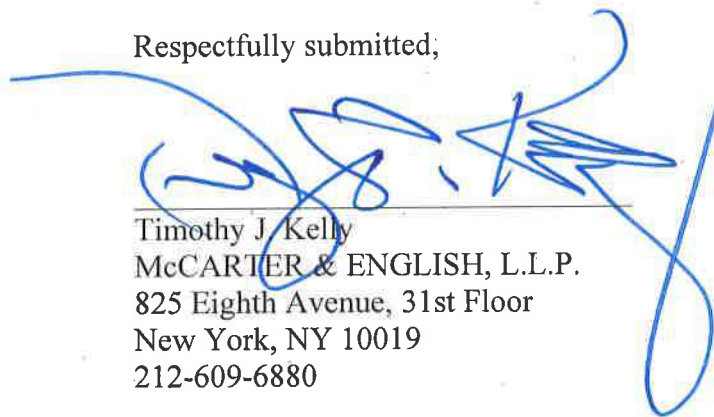
In response to the October 31, 2018 Order of the Trademark Trial and Appeal Board in the above-captioned consolidated opposition proceeding, Opposer American Express Marketing & Development Corp. herein provides a list of proposed dates and times for the previously-requested oral hearing:

Wednesday, December 12 @ 11 am
Thursday, December 20 @ 11 am
Wednesday, January 30 @ 11 am
Wednesday, February 6 @ 11 am

The undersigned counsel for Opposer represents to the Board that he has corresponded with counsel of record for Applicant in an attempt to determine whether Applicant's counsel would participate in the requested oral hearing, and, if so, to identify a mutually agreeable set of proposed dates for the oral hearing. Applicant's counsel has responded in writing indicating

“You can go ahead. We will rest on the briefs.” Opposer’s counsel has interpreted this to mean that Applicant’s counsel will not be appearing for/participating in oral hearing.

Respectfully submitted;



Dated: November 13, 2018

Timothy J. Kelly
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Attorneys for Opposer,
American Express Marketing
& Development Corp.

CERTIFICATE OF SERVICE

I, Timothy J. Kelly, hereby certify that on this the 13th day of November 2018, I caused to be served the foregoing Response To Board Order Dated October 31, 2018 on counsel for Applicant by email, at the address set forth below:

Hans J. Crosby, Esq.
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Timothy J. Kelly