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Filing date: **10/13/2020**

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

|                        |  |
|------------------------|--|
| Proceeding             | 91232427   |
| Party                  | Defendant<br>Interprofession du Gruyère, and Syndicat Interprofessionnel du Gruyère  |
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| Submission             | Other Motions/Papers   |
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| Signature              | /Richard Lehv/   |
| Date                   | 10/13/2020   |
| Attachments            | Gruyere Clarification of Notice of Remedy by Civil Action.pdf(107246 bytes )   |

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

INTERNATIONAL DAIRY FOODS ASSOCIATION,  
U.S. DAIRY EXPORT COUNCIL, ATALANTA  
CORPORATION, and INTERCIBUS INC.,

Opposers,

v.

INTERPROFESSION DU GRUYÈRE, and  
SYNDICAT INTERPROFESSIONNEL DU  
GRUYÈRE,

Applicants.

Opposition No. 91232427  
Consolidated with Opposition Nos.  
91232442, 91232446, and  
91232448

**CLARIFICATION OF NOTICE OF REMEDY BY A CIVIL  
ACTION**

On October 7, 2020, Applicants, Interprofession Du Gruyère and Syndicat Interprofessionnel Du Gruyère (“Applicants”), filed with the Board in these consolidated proceedings a notice that Applicants commenced a civil action against Opposers, International Dairy Foods Association, U.S. Dairy Export Council, Atalanta Corporation, and Intercibus Inc., in the United States District Court for the Eastern District of Virginia in the case captioned *Interprofession Du Gruyère et al. v. International Dairy Foods Association et al.*, Case No. 1:20-cv-01174 (E.D. Va. filed Oct. 6, 2020) (the “Civil Action”), seeking review of the Board’s decision date August 5, 2020.

This is to clarify that Applicants are not seeking review in the Civil Action of the Board’s decision in Opposition No. 91232427, since the Board dismissed that specific Opposition for lack of standing.

Dated: New York, New York  
October 13, 2020

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By: /Richard Lehv/  
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*Attorneys for Interprofession Du Gruyère and  
Syndicat Interprofessionnel Du Gruyère*

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing is being served on counsel of record for Opposers this 13<sup>th</sup> day of October 2020 at

[bgilpin@gklaw.com](mailto:bgilpin@gklaw.com), [zwillenbrink@gklaw.com](mailto:zwillenbrink@gklaw.com)

/Richard Lehv/  
Richard Lehv