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

Proceeding	91234074
Party	Defendant Ocinomled, Ltd.
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Date	05/10/2017
Attachments	Applicant Ocinomled Response to Motion to Suspend.pdf(19498 bytes)

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

SOUTHWESTERN MANAGEMENT, INC.

Opposer,

Opposition. Nos. 91234074 and 91234075

v.

App. Ser. Nos.: 76577252 and 76577253

OCINOMLED, LTD.

Mark: DELMONICO'S

Applicant.

APPLICANT'S RESPONSE TO OPPOSER'S MOTION TO SUSPEND PROCEEDINGS

Applicant Ocinomled LLC ("Ocinomled") hereby responds to Opposer's Motion to Suspend Proceedings pursuant to 37 C.F.R. § 2.117(a).

Although Ocinomled does not agree with all the representations and arguments made by Opposer and takes exception to some of those representations and arguments, Ocinomled does not contest the motion and consents to the suspension of this proceeding with the following requested qualification.

The applications at issue in these proceedings have also been opposed by Emeril's Food of Love Productions, LLC (Opposition No. 91232430) ("Emeril's Opposition"). Ocinomled has filed today a Motion to Suspend the Emeril's Opposition pursuant to 37 C.F.R. § 2.117(a) based on the same legal action cited by Opposer in its motion. Ocinomled is concerned there is a possibility the motion to suspend the Emeril's Opposition may not be granted thus resulting in inconsistent treatment of the Emeril's Opposition and these proceedings. Accordingly, Ocinomled requests it be allowed to request that any suspension that may be issued in these proceedings be lifted in the event the Board does not also suspend the Emeril's Opposition proceeding.

Dated: Stamford, Connecticut

May 10, 2017

Respectfully submitted,

/dmd/ Dickerson M Downing
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document has been served on this 10th day of May 2017 by e-mail upon Robert E. Purcell, Esq. counsel for Opposer as well as upon the other e-mail addresses listed in the Correspondence information provided by Opposer in the Notices of Opposition as set forth below:

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/dmd/ Dickerson M. Downing