

ESTTA Tracking number: **ESTTA1152256**

Filing date: **08/10/2021**

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

Proceeding	91236357
Party	Plaintiff LCO Destiny, LLC
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Date	08/10/2021
Attachments	2021-08-10-OPPOSERS-RESPONSE-TO-ORDER .pdf(137858 bytes)

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

In the Matter of Applications Serial Nos. 87216557 and 87216577
For Marks: TIMELESS BY DESIGN and TIMELESS BY DESIGN (Stylized) and Design

LCO DESTINY, LLC

Opposer,

Opposition No. 91236357

v.

WHOLESALE DÉCOR LLC, an Ohio
limited liability company,
XYZ, a currently unknown entity,

Applicants.

OPPOSER’S RESONSE TO THE BOARD’S ORDER
DATED AUGUST 10, 2021

Opposer, LCO Destiny, LLC, hereby responds to the Board’s Order dated August 10, 2021 requesting an update of the status of the civil litigation between the parties which occasioned the suspension of this opposition proceeding.

The civil litigation is a lawsuit filed in the United States District Court for the Northern District of New York, civil action no. 5:17-cv-946 (FJS/ATB) (hereinafter “Civil Litigation”). The litigation on which the suspension of this TTAB proceeding is based is still pending in the United States District Court for the Northern District of New York and has yet to be resolved.

Accordingly, Opposer requests that the instant opposition proceeding continue to be suspended pending the resolution of the Civil Lawsuit.

Dated: August 10, 2021

Respectfully submitted,
The Law Office of Robert E. Purcell, PLLC

A handwritten signature in black ink, appearing to be 'R. Purcell', written in a cursive style.

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ATTORNEY FOR OPPOSER

CERTIFICATE OF SERVICE

I certify that on the 10 day of August, 2020 a copy of the foregoing OPPOSER'S RESONSE TO THE BOARD'S ORDER DATED JULY 8, 2020 was sent via e-mail, to the following:

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