

ESTTA Tracking number: **ESTTA1260350**

Filing date: **01/17/2023**

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

Proceeding no.	91247248
Party	Defendant Industria De Alimentos Zenu S.A.S.
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Submission	Other Motions/Submissions
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Signature	/Zayn Mohamed/
Date	01/17/2023
Attachments	Response to Board Order of January 13 2023.pdf(124254 bytes )

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

-----X  
CACIQUE, INC. :  
 :  
 Opposer, : Opposition No. 91247248  
 :  
 v. :  
 :  
 INDUSTRIA DE ALIMENTOS ZENU S.A.S., :  
 :  
 Applicant. :  
-----X

**RESPONSE TO BOARD**  
**ORDER OF January 13, 2023**

Industria de Alimentos Zenu S.A.S. (“Applicant”) hereby responds to the Board’s order dated January 13, 2023 requesting that the Board be informed of the status of the civil action which occasioned the suspension of the subject opposition proceeding.

**Status of Civil Action**

Applicant hereby advises the Board that the federal litigation in the District of New Jersey (Civil Action No. 2:16-cv-06576-MK-MAH) is currently pending.

Applicant respectfully requests that the subject opposition proceeding remain suspended in view of the ongoing civil proceeding.

Dated: January 17, 2023

CARLTON FIELDS, P.A.  
Attorneys for Applicant  
Industria de Alimentos Zenu S.A.S.

By: /s/ Ethan Horwitz

Ethan Horwitz

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**CERTIFICATE OF TRANSMISSION**

I hereby certify that the foregoing RESPONSE TO BOARD ORDER OF JANUARY 13, 2023 is being electronically transmitted via the Electronic System for Trademark Trials and Appeals (“ESTTA”) at <http://estta.uspto.gov/> on the date noted below:

Date: January 17, 2023

By: /s/ Ethan Horwitz  
Ethan Horwitz  
One of the Attorneys for Applicant  
Industria de Alimentos Zenu S.A.S.

**CERTIFICATE OF SERVICE**

I hereby certify that a courtesy copy of the foregoing RESPONSE TO BOARD ORDER OF JANUARY 13, 2023 is being served upon the email of record for Opposer as listed with the USPTO:

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on the date noted below:

Date: January 17, 2023

By: /s/ Ethan Horwitz  
Ethan Horwitz  
One of the Attorneys for Applicant  
Industria de Alimentos Zenu S.A.S.