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

Proceeding	91252171
Party	Defendant American Construction Source LLC
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Submission	Stipulated/Consent Motion to Reopen
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Signature	/s/ Sara E. Hirshon
Date	12/07/2020
Attachments	Motion to Lift Suspension.pdf(6587 bytes )

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

ACS Actividades de Construccion y Servicios, S.A. )	)	
Opposer, )	)	
v. )	)	
American Construction Source LLC, )	)	Opposition No. 91252171
Applicant. )	)	

**UNOPPOSED MOTION TO LIFT THE SUSPENSION  
AND RE-INSTATE THE PROCEEDING**

Applicant, American Construction Source LLC (“Applicant”), by and through counsel, hereby files this Consented-to Motion requesting that the Trademark Trial and Appeal Board (“TTAB”) lift the suspension on this matter. The grounds in support of its Motion are below:

1. On or about June 15, 2020, the parties filed Applicant’s Third Consented-to Motion to Extend Answer Deadline, which the TTAB granted on June 15, 2020. The TTAB entered this matter into suspension status, which was set to expire on September 15, 2020.
2. In the intervening months, the parties have successfully resolved this matter and have executed settlement papers.
3. As part of the settlement, Applicant agreed to amend the description in its applications. The Settlement Agreement further provides Opposer shall move to withdraw this matter after the TTAB allows the TTAB allows the amendment of the application.

4. On or about October 23, 2020, the parties filed an Amendment of Application of the trademark application's descriptions, which is still presently pending. Therefore, the parties have not moved to withdraw the matter.
5. Opposer does not object to this Motion.

WHEREFORE, Applicant, American Construction Source LLC respectfully requests that the Suspension be lifted to allow the Motion to Amend to be decided.

Dated: December 7, 2020

/s/ Sara E. Hirshon  
Charles P. Bacall  
Sara E. Hirshon  
Counsel for Applicant

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#### **CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing Consented-to Motion to Lift the Suspension and Re-Instate the Proceeding was served upon Opposer, by forwarding the same via electronic mail to [jesus@sanchelima.com](mailto:jesus@sanchelima.com) and via first class mail, postage prepaid to Opposer's Attorney, Jesus Sanchelima, Esq., Sanchelima & Associates, P.A., 235 S.W. Le Jeune Road, Miami, Florida 33134.

Dated: December 7, 2020

/s/ Sara E. Hirshon  
Charles P. Bacall  
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