

ESTTA Tracking number: **ESTTA358111**

Filing date: **07/15/2010**

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

Proceeding	92051975
Party	Defendant Alfaro de Maron, Ana Eloisa del Carmen d/b/a Combisa Laboratorios
Correspondence Address	STEPHEN D. MILBRATH ALLEN, DYER, DOPPELT, ET AL. 255 SOUTH ORANGE AVE., SUITE 1401 ORLANDO, FL 32802-3791 UNITED STATES smilbrath@addmg.com
Submission	Response to Board Order/Inquiry
Filer's Name	Stephen D. Milbrath
Filer's e-mail	smilbrath@addmg.com
Signature	/Stephen D. Milbrath/
Date	07/15/2010
Attachments	StatusRpt_July_15_2010.pdf (2 pages)(62701 bytes)

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

Farmamedica, S.A.,

Petitioner,

vs.

Cancellation No. 92051975

Ana Eloisa Alfaro de Maron
d/b/a Combisa Laboratorios

Registration No. 3,673,991

Registrant.

STATUS REPORT OF RELATED U.S. DISTRICT COURT LITIGATION

The above named Registrant, through the undersigned attorneys, hereby submits this Status Report of the related litigation styled *Farmamedica, S.A. v. Ana Eloisa Alfaro de Maron*, Case No. 1:07-cv-20944 in the U.S. District Court, Southern District of Florida, and states as follows:

The status of the Southern District Court litigation remains unchanged: there is a post-judgment motion for contempt that has been briefed and unresolved. There is also a motion for leave to conduct discovery, which has been briefed and is unresolved.

The Registrant does not believe, however, that this unresolved contempt proceeding should stay the present proceeding, given that Farmamedica has effectively clouded the title on the Registrant's trademark and is using this proceeding and the Southern District case to intimidate the Registrant from marketing its products in the United States. This case should be placed back on the docket and Petitioner should be held to its burden of proof.

Respectfully submitted,

Ana Eloisa Alfaro de Maron
d/b/a Combisa Laboratorios

By its attorney:



Stephen D. Milbrath, Esq.
Florida Bar No. 239194
Allen, Dyer, Doppelt,
Milbrath & Gilchrist, P.A.
255 S. Orange Avenue, Suite 1401
P.O. Box 3791
Orlando, FL 32802-3791
Telephone: 407-841-2330
Facsimile: 407-841-2343

CERTIFICATE OF TRANSMITTAL

I, Stephen D. Milbrath, hereby certify that a true copy of the foregoing Status Report of Related U.S. District Court Litigation is being filed electronically with the Trademark Trial and Appeal Board via ESTTA on this 15th day of July, 2010.



Stephen D. Milbrath

CERTIFICATE OF MAILING

I, Stephen D. Milbrath, hereby certify that a copy of the foregoing Response to Petitioner's Motion for Leave to Amend Petition for Cancellation has been furnished by email this 15th day of July, 2010 (with a copy to be deposited in the United States Postal Service with sufficient postage as First Class Mail) addressed to:

Edgar Asebey-Birkholm, Esq.
Sandler, Travis & Rosenberg, P.A.
1000 NW 57th Court, Suite 600
Miami, FL 33126
easebey@strtrade.com

counsel for the Petitioner.



Stephen D. Milbrath