

TTAB

Harrington, Ocko & Monk

A LIMITED LIABILITY PARTNERSHIP
Attorneys at Law

White Plains Office

81 Main Street – Suite 215
White Plains, NY 10601
Tel: (914) 686-4800
Fax: (914) 686-4824

John T.A. Rosenthal, Esq.
e-mail: jrosenthal@homlegal.com

New York City Office

305 Broadway, 14th Floor
New York, NY 10007
(212) 822-1488

Reply to White Plains Office

September 16, 2013

Via Electronic Filing and Regular Mail

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451

77494364

Re: Cancellation No. 92051986; Registration No. 3546843

Dear TTAB:

As the TTAB may be aware, our firm represents Registrant/Defendant, Jordan Drew Corp. (“Jordan Drew”) in the above captioned matter. We are in receipt of the September 15, 2013 Notice of the TTAB. In response to the present Notice, we write to the TTAB at this time to request a further extension of the Order of the TTAB suspending these Cancellation Proceedings.

As you may recall, this office previously requested that the TTAB continue the suspension of these Cancellation Proceedings pending full and final resolution of ongoing litigation in Federal Court in the Southern District of New York between Petitioner Versatile Housewares & Gardening Systems, Inc., and Jordan Drew, Case No. 09-CV-10182 (KMK) (the “Federal Action”). As advised, the Federal Action involves a dispute between Jordan Drew and Versatile over ownership of the same trademark at issue in this Cancellation Proceeding; namely the registered trademark “Awesome Auger”.

As of this date, the parties are still engaged in the Federal Action, and there are presently pending motions for summary judgment, oral argument for which motions has yet to be set.



09-19-2013

TTAB

Cancellation No. 92051986

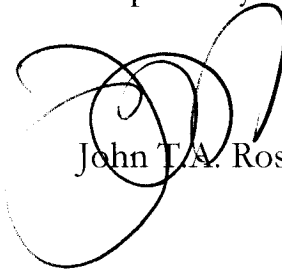
September 16, 2013

Page 2

Given that the Federal Action is still ongoing, we would again respectfully request that the TTAB continue to suspend these Cancellation Proceedings until such time as the Federal Action is fully resolved.

We wish to thank the TTAB in advance for its time and consideration in this matter. If the TTAB has any questions, please feel free to contact us.

Respectfully submitted,

A handwritten signature in black ink, consisting of several overlapping loops and curves, positioned above the printed name.

John T.A. Rosenthal

JTR:sg

cc: Michael T. Griggs
Boyle Fredrickson, S.C.