

ESTTA Tracking number: **ESTTA819172**

Filing date: **05/05/2017**

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

Proceeding	92064981
Party	Defendant Nordstrom, Inc.
Correspondence Address	LORRAINE LINFORD SEED IP LAW GROUP PLLC 701 FIFTH AVENUE, SUITE 5400 SEATTLE, WA 98104 UNITED STATES LorraineL@SeedIP.com, Litcal@SeedIP.com
Submission	Motion to Amend Registration (Requires a Fee and a Declaration)
Filer's Name	LORRAINE LINFORD
Filer's e-mail	LorraineL@SeedIP.com, Litcal@SeedIP.com
Declaration and Signature of Registrant or Attorney for Registrant	The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that the facts set forth above are true, all statements made of his or her own knowledge are true, and all statements made on information and belief are believed to be true.  /Lorraine Linford/
Date	05/05/2017
Attachments	Revised Amend_motion to suspend.pdf(83485 bytes ) Ex 1.pdf(70971 bytes )

Registration Subject to the filing

Registration No	4874651	Registration date	12/22/2015
Registrant	Nordstrom, Inc. 1617 Sixth Avenue, 5th Floor Seattle, WA 98101 UNITED STATES		

Goods/Services Subject to the filing

Class 025. First Use: 2015/07/01 First Use In Commerce: 2015/07/01  
All goods and services in the class are requested, namely: Cardigans; Sweaters; Turtlenecks

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

Plum Leotards, LLC	:	Cancellation No.: 92064981
Petitioner,	:	Mark: SUSINA
v.	:	Filing Date: March 16, 2012
Nordstrom, Inc.	:	Registration Date: December 22, 2015
Registrant.	:	Registration No. 4,874,651

**REVISED STIPULATED AMENDMENT AND MOTION**  
**TO SUSPEND CANCELLATION**

Pursuant to an Agreement between the parties, and subject to the approval of the Board, Plum Leotards, LLC and Nordstrom, Inc. hereby stipulate and agree that U.S. Registration No. 4,874,651 shall be amended as follows:

Cardigans, sweaters, turtlenecks and excluding for all the foregoing clothing and clothing accessories for sports, athletics or practice wear and work and casual clothing intended or marketed to also be worn for participation in sports, athletics or as practice wear.

By the signature of Lorraine Linford, below, and pursuant to 37 C.F.R. § 2.208, Seed IP Law Group LLP hereby provides authorization to debit its USPTO Deposit Account No. 191090, in the amount of \$100, for payment of the fee for amendment of a registration required under 37 C.F.R. §§ 2.173(b) and C.F.R. §2.6. A Declaration in Support of this Amendment is submitted herewith as Exhibit 1.

Petitioner Plum Leotards, LLC, ("Petitioner") and Registrant Nordstrom, Inc. ("Registrant") by and through the undersigned counsel, pursuant to 37 C.F.R. §2.117(a) and T.B.M.P. §510.02(a), hereby move to Suspend the proceedings for a period of six (6) months pending the parties' completion of their respective duties pursuant to a certain coexistence agreement.

In support of this Motion, the parties submit that they have reached an agreement regarding their respective marks. Pursuant to this agreement, Registrant shall amend the goods and services of Intent-to-Use Application Serial No. 86/781,233. Petitioner shall then file a Request for the Examining Attorney to resume examination of Petitioner's Application Serial No. 87/076,905.

Accordingly, Petitioner and Registrant respectfully request the Board grant this request to suspend the proceeding for a six (6)-month period pending Registrant's amendments and the outcome of Petitioner's request to the Examining Attorney to resume examination of the Plum Application.

Dated: May 5, 2017

Respectfully submitted,

THE MCHATTIE LAW FIRM, LLC

/Winifred E. Campbell/  
Winifred E. Campbell, Esq.  
550 West Main Street  
Boonton, New Jersey 07005  
(973) 402-5505  
Attorneys for Petitioner

Dated: May 5, 2017

Seed IP Law Group PLLC

/Lorraine Linford/

---

Lorraine Linford  
701 Fifth Avenue, Suite 5400  
Seattle, Washington 98104  
Telephone (206) 622-4900  
Attorneys for Opposer NIHC, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 5th day of May, 2017, the foregoing **Revised Stipulated Amendment and Motion to Suspend Cancellation** was served upon Applicant by email:

Winifred E. Campbell  
[wcampbell@mchattielaw.com](mailto:wcampbell@mchattielaw.com)

/Anne Calico/  
\_\_\_\_\_  
Anne Calico

EXHIBIT 1

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

_____	:	Cancellation No.: 92064981
Plum Leotards, LLC	:	
	:	Mark: SUSINA
Petitioner,	:	
	:	Filing Date: March 16, 2012
v.	:	
	:	Registration Date: December 22, 2015
Nordstrom, Inc.	:	
	:	Registration No. 4,874,651
Registrant.	:	
_____	:	

**DECLARATION OF NORDSTROM, INC. IN SUPPORT OF  
AMENDMENT OF REGISTRATION NO. 4,874,651**

I, Lorraine Linford, declare:

1. I am counsel for Registrant/Respondent Nordstrom, Inc. (“Nordstrom”) in this proceeding, and am authorized to sign this Declaration on its behalf. This declaration is submitted pursuant to the Board’s April 24, 2017 Order regarding the “Stipulated Amendment and Motion to Suspend Cancellation” filed April 19, 2017 (“Stipulation”).

2. Nordstrom is the owner of U.S. Trademark Registration No. 4,874,651 (the “Registration”), which is the subject of this proceeding.

3. Nordstrom requests amendment of the Registration as set forth in the Stipulation and the Revised Stipulated Amendment and Motion to Suspend Cancellation filed herewith (jointly referred to as the “Stipulations”). All statements made in the Stipulations by Nordstrom or on its behalf are true and correct and Nordstrom authorizes and requests amendment of the Registration as requested in the Stipulations.

The undersigned, being hereby warned that the making of willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements and the like may jeopardize the validity of this submission and the Registration, declares that all statements made herein of her own knowledge are true and all statements made on information and belief are believed to be true.

Respectfully submitted,

Seed IP Law Group LLP

May 5, 2017  
Date

/Lorraine Linford/  
Lorraine Linford  
Attorney for Nordstrom, Inc.