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

Proceeding	92072701
Party	Defendant Encyclopaedia Iranica Foundation Inc.
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Date	02/24/2021
Attachments	Columbia v. EIF- EIF_S response to Columbia_s response to TTAB order dated 1.14.2021.pdf(196320 bytes )

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

THE TRUSTEES OF COLUMBIA UNIVERSITY :  
IN THE CITY OF NEW YORK :  
 :  
Petitioner :  
 :  
v. : Canc. No. 92072701  
 :  
ENCYCLOPAEDIA IRANICA FOUNDATION, INC. :

Registrant

**RESPONSE TO PETITIONER'S RESPONSE TO BOARD ORDER**

On January 14, 2021, the Board issued an order giving the parties 30 days to inform the Board of the status of the civil action that occasioned the suspension of the cancellation. On February 16, 2021, Petitioner filed a response to the Board's order.

This is intended to correct the misimpression created by the status report submitted by Petitioner Columbia University on February 16, 2021.

On July 31, 2020, the District Court granted a temporary restraining order preventing Columbia from using Registrant Encyclopaedia Iranica Foundation's federally registered trademark ENCYCLOPAEDIA IRANICA which is an independent scholarly work created, published and funded by the late Dr. Ehsan Yarshater and by the Encyclopaedia Iranica Foundation (EIF), which he created and designated to hold all intellectual property related to the Encyclopaedia. Columbia University showed no interest in the Encyclopaedia and had no involvement in the use of the trademark ENCYCLOPAEDIA IRANICA until after Dr. Yarshater's death in 2018. Shortly thereafter, Columbia University began selling unauthorized copies of the Dr. Yarshater's work using counterfeit imitations of EIF's registered trademark. Although the court declined to grant a preliminary injunction, there has been no final determination on the merits. The court recognized that EIF was at a disadvantage at the

preliminary injunction stage because Columbia University has seized all of EIF's business records, all of Dr. Yarshater's academic papers, a valuable collection of artwork and a vast library that he donated to EIF to enable it to continue publishing the Encyclopaedia as it has for decades. EIF intends to pursue the litigation to a final judgment, to vigorously defend its intellectual property rights and to hold Columbia University liable for, including, but not limited to, its acts of willful and deliberate trademark counterfeiting, trademark and copyright infringement, false advertising and misappropriation of the life work of one of its most distinguished former Professors who never assigned any of his rights or EIF's rights to Columbia University.

ENCYCLOPAEDIA IRANICA FOUNDATION, INC.

By: /s/ Marylee Jenkins

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### **CERTIFICATE OF SERVICE**

It is hereby certified that a true and correct copy of the foregoing (re Canc. No. 92072701) is being served upon Petitioner's counsel of record Robert W. Clarida at [rclarida@reitlerlaw.com](mailto:rclarida@reitlerlaw.com), [esantana@reitlerlaw.com](mailto:esantana@reitlerlaw.com) on February 24, 2021.

/s/ Chiara Giuliani