

ESTTA Tracking number: **ESTTA625631**

Filing date: **09/05/2014**

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

Proceeding	91203541
Party	Plaintiff Andre D. Rossouw
Correspondence Address	ANDRE ROSSOUW 7535 WHITSETT AVE APT 2 NORTH HOLLYWOOD, CA 91605 3054 UNITED STATES admin@gogabox.com
Submission	Other Motions/Papers
Filer's Name	Andre Rossouw
Filer's e-mail	admin@gogabox.com, andreross2000@yahoo.com
Signature	/9047/
Date	09/05/2014
Attachments	Motion to suspend proceedings TTAB-signed.pdf(598040 bytes) Complaint.pdf(1014156 bytes)

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

In the matter of OPPOSITION No: 91203541

Andre Rossouw (Pro Se)

v.

Google Incorporated

MOTION W/O CONSENT TO SUSPEND PROCEEDINGS
DUE TO CIVIL PROCEEDING PENDING

1. Opposer Andre Rossouw (individual) holder of Registered mark “Googabox” that holds Registration no. 3541298, hereby in accordance with rule § 2.117 requesting the BOARD to SUSPEND proceedings due to Civil Action pending in Federal Court.
 2. That the proceedings pending with the BOARD is much the same as pending now before the District Court with an addition of charges and demands not applicable in Board proceedings.
 3. This suspension requested due to pending Civil action, CASE NO. 14-3995 IN THE NORTHERN DISTRICT OF CALIFORNIA AT SAN JOSE.
 4. That this action became necessary after exhaustive attempts with defendant to reach a solution that would benefit the interest of both parties failed.
 5. That a Civil proceeding became necessary in an effort to protect ALL of plaintiff's interests in this matter INCLUDING ongoing monetarily loss heightened by defendant's ongoing engagement in UNFAIR BUSINESS PRACTICES.
- (1)

6. That the complaint pending in Civil Court is attached hereto.

7. That opposer will notify the Board within 20 days of the outcome of the Civil proceeding.

Accordingly, plaintiff prays the Board to grant this Motion until further notice.

So entered this 5th day of 2014



Andre Rossouw (Opposer) (Pro Se)

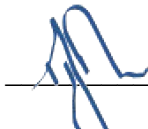
PROOF OF SERVICE

The following to be proof that defendant was notified of this Motion in full.

1. That a copy of this Motion has been forwarded to defendant via counsel for defendant Eric J Ball at Fenwick & West.
2. That a copy of this Motion has been served to defendant's counsel via ELECTRONIC means as mutually agreed upon by both parties as the means of service.
3. That I am the opposer and plaintiff in this proceeding.
4. That I am over the age of eighteen and that a copy of this Motion was served upon the defendant by me personally via electronic means at address:

Eball@fenwick.com

So delivered this 5th day of 2014



Plaintiff (Pro Se)

Andre Rossouw
1813 Cloverleaf Dr.
Nashville, TN
37216

ADR FILED
SEP 1964

SEP - 3 2014

3 2014
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Eric J. Ball esq. (DEFENDANT)
c/o Fenwick & West
801 California Street
Mountain View, CA 94041
650-335-7635 (eball@fenwick.com)

KAW

CV 14.03995

1. Pursuant to 28 U.S.C. § 1332 Jurisdiction in this case is based on **diversity of citizenship** of the parties.

(a) Plaintiff is a citizen of the state of TENNESSEE.

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