

ESTTA Tracking number: **ESTTA466012**

Filing date: **04/09/2012**

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

Proceeding	91203965
Party	Plaintiff Entrepreneur Media, Inc.
Correspondence Address	Jennifer L. Barry Latham & Watkins LLP 600 West Broadway, Suite 1800(027788-0041) San Diego, CA 92101 UNITED STATES ipdocket@lw.com, jennifer.barry@lw.com
Submission	Motion to Suspend for Civil Action
Filer's Name	Adam Kummins
Filer's e-mail	jennifer.barry@lw.com, ipdocket@lw.com
Signature	/Adam Kummins/
Date	04/09/2012
Attachments	EMI susp.PDF (33 pages)(926611 bytes)

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

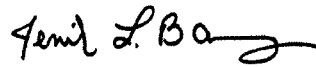
Entrepreneur Media, Inc., a California corporation,)	Opposition No.: 91203965
)	
Plaintiff,)	In re the Application of AEP, LLC
v.)	Mark: USENTREPRENEURTODAY
AEP, LLC, a New Jersey limited liability company,)	Serial No.: 85/249474
)	
Defendant.)	
)	

MOTION TO SUSPEND

Pursuant to 37 C.F.R. § 2.1117 and Rule 510.02(a) of the Trademark Trial and Appeal Board’s Manual of Procedure (“TBMP”), Plaintiff Entrepreneur Media, Inc. (“EMI”) hereby files this Motion to Suspend this opposition proceeding pending the outcome of the civil action, *Entrepreneur Media, Inc. v. Jeanne Gray, Enterprising Solutions Inc., and AEP, LLC*, Case No. 12-CV-01346, pending in the United States District Court of New Jersey (“Federal Litigation”). A copy of the complaint which was filed by EMI against the Defendant in this matter is attached.

Dated: April 9, 2012

Respectfully submitted,
LATHAM & WATKINS LLP



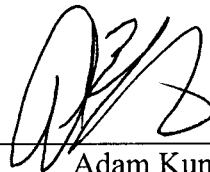
By: _____
Jennifer L. Barry
LATHAM & WATKINS LLP
600 West Broadway, Suite 1800
San Diego, California 92101-3375
(619) 236-1234 / (619) 696-7419 Fax
jennifer.barry@lw.com; ipdocket@lw.com

Attorneys for Plaintiff
Entrepreneur Media, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **MOTION TO SUSPEND** has been served on AEP, LLC by mailing said copy on April 9, 2012 via First Class Mail, postage prepaid to:

LOUIS ZAMBRIO
OLENDERFELDMAN LLP
2840 MORRIS AVE STE 1
UNION, NJ 07083-4880



Adam Kummins

Jason B. Lattimore
LATHAM & WATKINS LLP
One Newark Center, 16th Floor
Newark, NJ 07101-3174
Telephone: (973) 639-1234
Facsimile: (973) 639-7298

OF COUNSEL:

Perry J. Viscounty
LATHAM & WATKINS LLP
650 Town Center Drive, 20th Floor
Costa Mesa, CA 92626
Telephone: (714) 540-1235
Facsimile: (650) 755-8290

Jennifer L. Barry
LATHAM & WATKINS LLP
600 West Broadway, Suite 1800
San Diego, CA 92101-3375
Telephone: (619) 236-1234
Facsimile: (619) 696-7419

Attorneys for Plaintiff
ENTREPRENEUR MEDIA, INC.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY (NEWARK)**

ENTREPRENEUR MEDIA, INC.,
Plaintiff,
v.
JEANNE GRAY, ENTERPRISING
SOLUTIONS INC., and AEP, LLC,
Defendants.

Case No.

COMPLAINT

JURY TRIAL DEMANDED

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff Entrepreneur Media, Inc. (“EMI”) brings this complaint against Defendants for federal trademark infringement and federal unfair competition/false designation. EMI seeks monetary, injunctive, and other relief, and, in support thereof, states the following:

PARTIES

1. EMI is a California corporation, having its principal place of business at 2445 McCabe Way, Irvine, California 92614.
2. On information and belief, Jeanne Gray, an individual residing in Westfield, New Jersey, operates the websites located at *usentrepreneurtoday.com* and *njentrepreneur.com* and is the president and founder of both Enterprising Solutions, Inc. and AEP, LLC Gray is also the registrant for the *njentrepreneur.com* and *usentrepreneurtoday.com* domain names. On information and belief, Gray was personally aware of, and authorized, approved, ratified, participated in, and instigated the wrongful conduct alleged in this Complaint.
3. On information and belief, Enterprising Solutions, Inc. is a New Jersey corporation, having its principal place of business at 231 North Avenue, #334, Westfield, New Jersey 07090. Enterprising Solutions, Inc. publishes content on the *njentrepreneur.com* website, and was the applicant of record for the application for federal registration of the NJENTREPRENEUR mark.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.