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

Proceeding	91207687
Party	Plaintiff BeautyBank Inc.
Correspondence Address	MARK D PASSLER AKERMAN SENTERFITT 222 LAKEVIEW AVENUE, 4TH FLOOR WEST PALM BEACH, FL 33401 UNITED STATES ip@akerman.com
Submission	Response to Board Order/Inquiry
Filer's Name	MARK D. PASSLER
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Signature	/Mark D. Passler/
Date	02/17/2015
Attachments	10647-1.pdf(403513 bytes )

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

In the Matter of Application Serial No. 85/074,416 for the mark HARVEY PRINCE EAU FLIRT  
Application filed on June 29, 2010  
Published in the *Official Gazette* on June 26, 2012  
Opposition No. 91207687 filed on October 24, 2012

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BEAUTYBANK INC.,	:	
	:	
Opposer,	:	
	:	
- against -	:	<b>RESPONSE TO TTAB ORDER,</b>
	:	<b><u>MAILED FEBRUARY 4, 2015</u></b>
	:	
KUMAR RAMANI,	:	
	:	
Applicant.	:	
	:	

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George C. Pologeorgis, Interlocutory Attorney  
United States Patent and Trademark Office  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

In a communication dated February 4, 2015, the United States Patent and Trademark Office, Trademark Trial and Appeal Board inquired as to the status of the civil action captioned BeautyBank Inc. v. Kumar Ramani, et al., Civ. Action No. 10-cv-955(KPF)(GWG) (the "Civil Action"), which occasioned the current suspension of the above-captioned opposition proceeding.

Opposer respectfully submits that the District Court has issued a decision in favor of Opposer in that civil action. A copy of the Judgment and Order of District Court is attached. The time period for the Applicant to file an appeal in the civil action has expired, and no appeal was filed.

Accordingly, Opposer requests that the Board take appropriate action in accordance with the District Court findings in this matter.

Dated: February 17, 2015

Respectfully submitted,

**AKERMAN LLP**  
**(f/k/a AKERMAN SENTERFITT LLP)**



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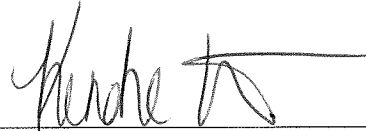
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ATTORNEYS FOR OPPOSER

**CERTIFICATE OF SERVICE**

I hereby certify that on February 17, 2015, a true and complete copy of the foregoing Response to TTAB Order, Mailed February 4, 2015, was served on Applicant, Kumar Ramani, via first class mail, postage prepaid, to:

Kumar Ramani  
P.O. Box 805  
Princeton Junction  
New Jersey 08550-0805  
United States



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USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: April 25, 2014

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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BEAUTYBANK, INC.,

Plaintiff,

10 CIVIL 955 (KPF)

-against-

**JUDGMENT**

HARVEY PRINCE LLP, et al.,

Defendants.  
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Whereas the above-entitled action having been assigned to the Honorable Katherine Polk Failla, United States District Judge, and the matter thereafter having been brought to trial on October 16, 2013, and at the conclusion of the trial, on October 23, 2013, the jury having reached a verdict in favor of Plaintiff as against Defendants, awarding Plaintiff compensatory damages in the amount of \$ 120,000.00, and punitive damages in the amount of \$1,100,000.00; and,

Whereas, on April 1, 2014, at the conclusion of a Court conference, the court issued a decision on the post-trial motions filed by Plaintiff and Defendant Ramani; denying in its entirety, Defendant Ramani's post-trial motions seeking judgment as a matter of law under Fed. R. Civ. P. (50)(b), a new trial under Fed. R. Civ. P. 59, and a declaratory judgment under Fed.R. Civ. P. 60; and in the April 1, 2014 decision, the Court (i) ordering the seizure and destruction of all infringing Eau Flirt Goods (as defined in the Court's April 22, 2014 Order) pursuant to 15 U.S.C. § 1118; (ii) permanently enjoining and restraining Defendants from selling their infringing Eau Flirt Goods and disseminating the false advertisements relating to their Eau Flirt fragrance pursuant to 15 U.S.C. § 1116 and GBL § 349; (iii) enhancing Plaintiff's compensatory damages award to \$360,000 pursuant to 15 U.S.C. §1117(a); and (iv) awarding Plaintiff attorneys' fees in the amount of \$1,130,739.23; and

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