

ESTTA Tracking number: **ESTTA785663**

Filing date: **11/28/2016**

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

Proceeding	91217872
Party	Plaintiff American Training Center Inc
Correspondence Address	RALPH N GABOURY COX PADMORE SKOLNIK & SHAKARCHY LLP 630 THIRD AVENUE19TH FLOOR NEW YORK, NY 10017 UNITED STATES gaboury@cpsslaw.com
Submission	Motion to Suspend for Civil Action
Filer's Name	Ralph N. Gaboury, Esq.
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Date	11/28/2016
Attachments	Motion to Suspend for Civil Action 91217872 11-28-2016_Part1.pdf(5015394 bytes) Motion to Suspend for Civil Action 91217872 11-28-2016_Part2.pdf(5175548 bytes) Motion to Suspend for Civil Action 91217872 11-28-2016_Part3.pdf(1942957 bytes)

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

In the matter of Application Ser. No. 85938941

For the mark: ·PAUL FERRARA· EDUCATION MANAGEMENT

Date of Filing: August 18, 2014

AMERICAN TRAINING CENTER INC.,

Opposer,

v.

PAUL FERRARA,

Applicant.

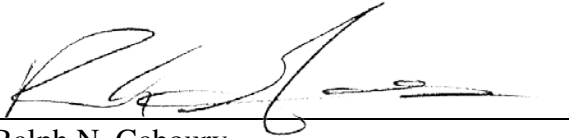
Opposition No. 91217872

OPPOSER'S MOTION TO SUSPEND PENDING CIVIL ACTION

Pursuant to 37 CFR § 2.117 and TBMP § 510.02(a), Opposer, American Training Center Inc. (“ATC” or “Opposer”), respectfully moves that this proceeding be suspended pending the outcome of the civil action filed by Opposer against Applicant in the United States District Court for the District of New Jersey, styled as *American Training Center Inc. v. Robert Fiance Beauty Schools Inc., Robert Fiance Makeup Academy, Inc., Ferrara Education Group, LLC and Paul Ferrara* (D.N.J. 2:16-cv-08605) (hereafter the “Civil Action”), as the Civil Action will have a direct bearing on the Applicant’s right to the mark at issue.

Attached as Exhibit A is a copy of the Complaint filed with the federal district court in the Civil Action, which, *inter alia*, seeks to permanently enjoin Applicant's use of the mark in the opposed Application.

Dated: November 28, 2016


Ralph N. Gaboury

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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Motion to Suspend Pending Civil Action has been served on Applicant Paul Ferrara by electronic mail (by agreement) to Applicant's counsel of record listed below on November 28, 2016:

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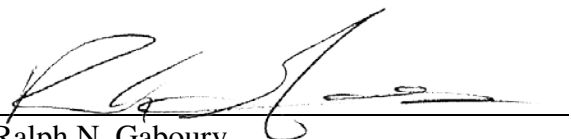

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EXHIBIT A

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Attorneys for Plaintiff
American Training Center Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

AMERICAN TRAINING CENTER INC.,
a New York Corporation,

Plaintiff,

vs.

ROBERT FIANCE BEAUTY SCHOOLS
INC., a New Jersey Corporation,
ROBERT FIANCE MAKEUP
ACADEMY, INC., a New Jersey
Corporation, FERRARA EDUCATION
GROUP, LLC, a New Jersey Limited
Liability Company, and PAUL FERRARA,
an individual domiciled in New Jersey,

Defendants.

Civil Action No. _____

Hon. _____

**COMPLAINT
AND JURY DEMAND**

(Document filed electronically)

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