

ESTTA Tracking number: **ESTTA784429**

Filing date: **11/21/2016**

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

Proceeding	91219457
Party	Plaintiff American Training Center Inc.
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Submission	Motion to Suspend for Civil Action
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Date	11/21/2016
Attachments	Motion to Suspend for Civil Action 91219457 11-21-2016_Part1.pdf(5002561 bytes) Motion to Suspend for Civil Action 91219457 11-21-2016_Part2.pdf(5175043 bytes) Motion to Suspend for Civil Action 91219457 11-21-2016_Part3.pdf(1942635 bytes)

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

In the matter of Application Ser. No. 86099446
For the mark: FERRARA PRO SALON PROFESSIONAL
Date of Filing: November 23, 2014

AMERICAN TRAINING CENTER INC.,

Opposer,

v.

PAUL FERRARA,

Applicant.

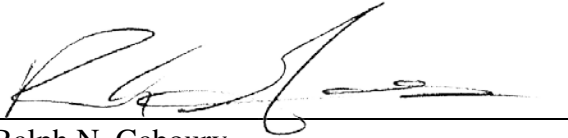
Opposition No. 91219457

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 21, 2016


Ralph N. Gaboury

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SHAKARCHY LLP

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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 21, 2016:

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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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