

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<br>American Training Center Inc.   |
| Correspondence Address | RALPH N GABOURY ESQ<br>COX PADMORE SKOLNIK & SHAKARCHY LLP<br>630 THIRD AVENUE 19TH FLOOR<br>NEW YORK, NY 10017<br>UNITED STATES<br>gaboury@cpsslaw.com  |
| Submission             | Motion to Suspend for Civil Action   |
| Filer's Name           | Ralph N. Gaboury, Esq.   |
| Filer's e-mail         | gaboury@cpsslaw.com  |
| Signature              | /Ralph Gaboury/  |
| Date                   | 11/21/2016   |
| Attachments            | Motion to Suspend for Civil Action 91219457 11-21-2016_Part1.pdf(5002561 bytes )<br>Motion to Suspend for Civil Action 91219457 11-21-2016_Part2.pdf(5175043 bytes )<br>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.

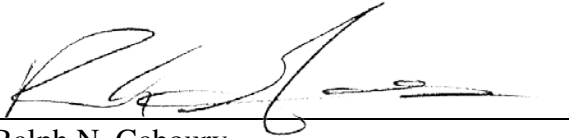
Opposition No. 91219457

**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

COX PADMORE SKOLNIK &  
SHAKARCHY LLP

Attorneys for Opposer  
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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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Ralph N. Gaboury

# EXHIBIT A

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Attorneys for Plaintiff  
American Training Center Inc.

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

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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.

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Civil Action No. \_\_\_\_\_

Hon. \_\_\_\_\_

**COMPLAINT  
AND JURY DEMAND**

(Document filed electronically)

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