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Filing date: **12/07/2018**

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

Proceeding	91241072
Party	Plaintiff Entrepreneur Media, Inc.
Correspondence Address	PATRICK JUSTMAN LATHAM & WATKINS LLP 12670 HIGH BLUFF DRIVE SAN DIEGO, CA 92130-2071 UNITED STATES patrick.justman@lw.com, alethia.corneil@lw.com, tara.villegas@lw.com, ipdock- et@lw.com, andrew.dane@lw.com 858-523-5400
Submission	Motion to Suspend for Civil Action
Filer's Name	Patrick Justman
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Signature	/s/ Patrick Justman
Date	12/07/2018
Attachments	2018_12_07_Motion to Suspend Proceeding re Autopilot Entrepre- neur.pdf(427708 bytes )

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

In re the Application of Autopilot Entrepreneur  
Serial No. 87/569534  
Filed: August 15, 2017  
Trademark: **AUTOPILOT ENTREPRENEUR**  
Published: January 9, 2018

Entrepreneur Media, Inc.,	)	
	)	
Opposer,	)	OPPOSITION NO. 91241072
v.	)	
	)	
Mijan, LLC,	)	
	)	
Applicant.	)	
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**MOTION TO SUSPEND PROCEEDING**

Pursuant to 37 C.F.R. § 2.117 and Rule 510.02(a) of the Trademark Trial and Appeal Board’s Manual of Procedure (“TBMP”), Opposer Entrepreneur Media, Inc. (“EMI”) hereby files this Motion to Suspend this opposition proceeding pending the outcome of the civil action, *Entrepreneur Media, Inc. v. James P. Friel, et al.*, Case No. 6:18-cv-02067-ACC-DCI, pending in the U.S. District Court for the Middle District of Florida. A copy of the complaint filed by EMI against Applicant in that matter is attached.

The pending civil action involves substantially the same issues that are involved in this proceeding. It is anticipated that the District Court’s determination of these issues will likely be dispositive of the issues involved in this proceeding and therefore, EMI respectfully requests suspension of these proceedings pending the outcome of the aforementioned civil action.

Dated: December 7, 2018

Respectfully submitted,

LATHAM & WATKINS LLP



By:

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Attorneys for Opposer  
Entrepreneur Media, Inc.

# ATTACHMENT

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA**

ENTREPRENEUR MEDIA, INC., a  
California corporation,

Plaintiff,

v.

JAMES P. FRIEL, an individual;  
MIJAN, LLC, a Florida limited liability  
company; and DOES 1-10,

Defendants.

Civil Action No.

**COMPLAINT**

**DEMAND FOR JURY TRIAL  
INJUNCTIVE RELIEF SOUGHT**

**NATURE OF ACTION**

1. Plaintiff Entrepreneur Media, Inc. (“EMI”) brings this complaint against James P. Friel, Mijan, LLC, and Does 1-10 (collectively “Defendants”) for federal trademark infringement and false designation of origin, and unfair competition in violation of the Lanham Act, 15 U.S.C. § 1051, *et seq.*, Florida common law unfair competition and trademark infringement, and violations of the Florida Deceptive and Unfair Trade Practices Act (“FDUTPA”), and EMI alleges, with knowledge concerning its own acts and on information and belief as to all other matters (unless otherwise specifically stated), as follows:

**THE PARTIES**

2. EMI is a California corporation with its principal place of business at 18061 Fitch Avenue, Irvine, California 92614.

3. Defendant James P. Friel (“Friel”) is an individual residing in Daytona

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