

ESTTA Tracking number: **ESTTA1255868**

Filing date: **12/21/2022**

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

Proceeding no.	91282449
Party	Plaintiff Karen Becker Edson
Correspondence address	DELFINA HOMEN MILLER NASH LLP 111 SW FIFTH AVE SUITE 3400 PORTLAND, OR 97204 UNITED STATES Primary email: trademark@millernash.com 5032245858
Submission	Motion to Suspend for Civil Action
Filer's name	Delfina Homen
Filer's email	trademark@millernash.com
Signature	/Delfina Homen/
Date	12/21/2022
Attachments	Motion to Suspend Pending Litigation.pdf(6031762 bytes )

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

Karen Becker Edson,  an individual,  Opposer,  v.  Lotus Craft, LLC,  a Utah Limited Liability Company,  Applicant.	Appl. Ser. No.: 90/194,755  Mark: OUT WEST IT'S BECKERS & design  Opposition No. 91282449
---------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------

**OPPOSER'S MOTION FOR SUSPENSION PENDING CIVIL LITIGATION**

Pursuant to TBMP Section 510.02, Opposer Karen Becker Edson ("Opposer") hereby requests that these proceedings be suspended by the Board pending the outcome of Case No. 2:22-cv-00778-TC, filed by Opposer in the United States District Court for the District of Utah. A copy of the Complaint is attached as Exhibit 1.

TBMP Section 510.02(a) states:

Whenever it comes to the attention of the Board that a party or parties to a case pending before it are involved in a civil action that may have a bearing on the Board case, proceedings before the Board may be suspended until final determination of the civil action.

The civil action alleges Applicant Lotus Craft, LLC ("Applicant") has engaged in unfair competition, deceptive trade practices, and misappropriation of right of publicity; and, among other things, seeks relief by requesting that the Applicant be ordered to abandon any existing applications to register all BECKER-formative trademarks, including the application at issue in this proceeding. As such, the relief sought in the civil action may ultimately decide the issue before the Board in this proceeding

Accordingly, Opposer respectfully requests that this opposition proceeding be suspended pending the outcome of the civil action.

Date: December 21, 2022

Respectfully submitted,

/Delfina S. Homen /  
Delfina S. Homen  
Miller Nash LLP  
111 SW 5th Avenue, Suite 3400  
Portland, OR 97204  
503-205-2596

*Attorney for Opposer*  
*Karen Becker Edson*

## CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Motion has been served on counsel for Applicant by forwarding such copy on December 21, 2022, via email to:

JOSEPH G. PIA  
PIA HOYT  
136 E SOUTH TEMPLE, 19<sup>TH</sup> FLOOR  
SALT LAKE CITY, UT 84111  
Primary email: joe.pia@piahoyt.com  
Secondary email(s): jstone@piahoyt.com

/Delfina S. Homen/  
Delfina S. Homen

# Exhibit 1

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.