

ESTTA Tracking number: **ESTTA1369641**
Filing date: **07/08/2024**

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

Proceeding no.	91291774
Party	Defendant TLM Global LLC
Correspondence address	DEREK FAHEY THE PLUS IP FIRM 101 NE 3RD AVENUE, SUITE 1500 FORT LAUDERDALE, FL 33301 UNITED STATES Primary email: derek@plusfirm.com Secondary email(s): docket@plusfirm.com, austin@plusfirm.com, jacqueline@plusfirm.com 954-332-3584
Submission	Motion to Suspend for Civil Action
Filer's name	Matthew S. Nelles
Filer's email	matt.nelles@johnsonmartinlaw.com, josh.martin@johnsonmartinlaw.com, kerty.apelt@johnsonmartinlaw.com, moriah.lucas@johnsonmartinlaw.com
Signature	/Matthew S. Nelles/
Date	07/08/2024
Attachments	2024-07-08 Motion to Suspend - Final.pdf(868508 bytes)

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

FOKISS, INC. d/b/a)	
STEW PETERS NETWORK,)	
)	Opposition No. 91291774
Opposer,)	
)	Application Serial No. 97699848
v.)	
)	Mark: DIED SUDDENLY
TLM GLOBAL, LLC,)	
)	
Applicant.)	
<hr style="border: 0.5px solid black;"/>		

NOTICE OF CIVIL ACTION AND REQUEST TO SUSPEND OPPOSITION

Applicant, TLM Global, LLC, through its undersigned attorneys, hereby provides notice to the Trademark Trial and Appeal Board that the parties to the instant opposition proceedings are involved in a civil action which may have a bearing on the instant opposition proceedings. A complaint was filed by Opposer, Fokiss, Inc. d/b/a Stew Peters Network, in the United States District Court for the Southern District of Florida alleging, *inter alia*, trademark infringement by Applicant and others. The civil action case number is 2:24-cv-14096-KMM. A copy of the complaint is attached hereto as Exhibit.

Applicant's deadline to file an answer or otherwise plead is July 8, 2024. In keeping with TTAB policy, and pursuant to 37 C.F.R. § 2.117(a) and TBMP Rule 510.02(a), Applicant hereby requests suspension of the opposition proceedings until final determination of the civil action.

Dated: July 8, 2024

Respectfully submitted,

By: /Matthew S. Nelles/
Matthew S. Nelles
Florida Bar No. 009245
Email: matt.nelles@johnsonmartinlaw.com
Joshua D. Martin
Florida Bar No. 028100
Email: josh.martin@johnsonmartinlaw.com
JOHNSON & MARTIN, P.A
500 W. Cypress Creek Rd., Suite 430
Fort Lauderdale, FL 33309
Telephone: (954) 790-6699
Eservice: moriah.lucas@johnsonmartinlaw.com

Attorneys for Applicant TLM Global LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document, which was electronically filed, is being sent via email to Opposer's Counsel and other counsel of record at the address below on this 8th day of July, 2024.

Jenna Harris
RITHOLZ LEVY FIELDS, LLP
131 S. 11th Street
Nashville, TN 37206

Date: July 8, 2024

By: /Matthew S. Nelles/
Matthew S. Nelles

EXHIBIT

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
FORT PIERCE DIVISION**

FOKISS, INC. d/b/a STEW PETERS NETWORK
PLAINTIFF

V.

CASE NO.: 2:24-cv-14096

TLM GLOBAL, LLC; TLM VISION, INC.;
EDWARD SZALL; LAUREN WITZKE;
MATTHEW SKOW and
NICHOLAS STUMPHAUZER
DEFENDANTS

COMPLAINT

Plaintiff, FOKISS, INC. D/B/A STEW PETERS NETWORK (“Plaintiff”), by and through its undersigned counsel, brings this action against Defendants, TLM GLOBAL, LLC; TLM VISION, INC.; EDWARD SZALL; LAUREN WITZKE; MATTHEW SKOW; and NICHOLAS STUMPHAUZER, for injunctive relief, declaratory relief, and damages, and in support thereof, alleges the following:

PARTIES

1. Plaintiff is a Corporation registered in the State of Minnesota with a principal address of 656 Hallstrom Drive, Red Wing, MN 55066. Plaintiff also has a current pending Application by Foreign Corporation for Authorization to Transact Business in Florida, attached hereto and incorporated herein as **Exhibit A**, with the Florida Secretary of State.

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.