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

Proceeding	92059726
Party	Defendant Security People, Inc.
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Submission	Motion to Suspend for Civil Action
Filer's Name	Kuscha Hatami
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Date	04/28/2015
Attachments	Response Motion to Board with Certificate.pdf(1483997 bytes)

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

NEXTLOCK, LLC, Petitioner, v. SECURITY PEOPLE, INC., Registrant.	Cancellation No. 92059726 Mark: NEXTLOCK Serial No.: 85527423 Registration Date: July 15, 2014
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**REGISTRANT’S RESPONSE TO BOARD ORDER REGARDING MOTION TO
SUSPEND PENDING TERMINATION OF RELATED
FEDERAL TRADEMARK LITIGATION**

On March 26, 2015, Registrant moved, pursuant to 37 C.F.R. 2.117(a) & (c) (“Rule 2.117”) and Trademark Trial and Appeal Board Manual of Procedure (“TBMP”) § 510.02, to suspend Cancellation No. 92059726 (the “Cancellation”) pending the outcome of the related federal district court trademark litigation between Petitioner Nextlock, LLC (“Petitioner”) and Registrant Security People, Inc. (“Registrant” or “Security People”), *Security People, Inc., vs. Nextlock, LLC, DBA Nextlock*, No. 15-CV-01179-EJD, N.D. Cal. Filed March 12, 2015 (the “Civil Action”).

On April 27, 2015, the Board ordered that Registrant submit a copy of the civil complaint, and answer, if applicable, by May 7, 2015. Registrant respectfully submits the complaint of the Civil Action with this response. *See* Exhibit A (Complaint). Registrant further informs the Board that a responsive answer in the Civil Action is yet to be filed, and therefore, submission of the answer is not applicable here.

Registrant’s Response to Board Order Regarding
Motion to Suspend Pending Termination of Related
Federal Trademark Litigation
Cancellation No. 92059726

Respectfully submitted,

DONAHUE FITZGERALD LLP
Attorneys for Registrant

Dated: April 28, 2015

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Registrant's Response to Board Order Regarding
Motion to Suspend Pending Termination of Related
Federal Trademark Litigation
Cancellation No. 92059726

EXHIBIT A

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7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 SECURITY PEOPLE, INC.

No. 15-cv-1179

12 Plaintiff,

**COMPLAINT FOR FEDERAL
TRADEMARK INFRINGEMENT; FALSE
DESIGNATION OF ORIGIN AND UNFAIR
COMPETITION; FEDERAL TRADEMARK
DILUTION; AND COMMON LAW
TRADEMARK INFRINGEMENT AND
UNFAIR COMPETITION**

13 v.

14 NEXTLOCK, LLC, DBA NEXTLOCK,

15 Defendant.
16

JURY TRIAL DEMANDED

17
18 To stop the illegal and infringing use of its trademark, plaintiff Security People, Inc.
19 ("SPI"), and alleges as follows:

20 **NATURE OF THE ACTION**

21 This is a civil action for trademark infringement, dilution, and unfair competition under
22 the Lanham Act, 15 U.S.C. § 1114 and 1125 (a), (c) and (d), and common law unfair competition
23 trademark infringement.
24

25 **THE PARTIES**

26 1. SPI is a California corporation with its principal place of business in Petaluma,
27 California. Widely recognized as a global technology leader in the lock field, SPI owns a U.S.
28 trademark (registration number 4568693) for the mark, NEXTLOCK.

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