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

Proceeding	92066859
Party	Plaintiff Vans, Inc.
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Submission	Other Motions/Submissions
Filer's Name	Christopher B. Lay
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Signature	/Christopher B. Lay/
Date	11/19/2020
Attachments	Petitioner Vans Paper Relating to Registrant Motion to Suspend - as filed.pdf(193191 bytes) Motion to Stay - as filed in CD California.pdf(377477 bytes) Declaration of Nicholas J. Hoffman - as filed in CD California.pdf(176937 bytes) Declaration of Christopher B. Lay - as filed in CD California.pdf(473166 bytes)

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

Vans, Inc.)
Petitioner,)
) Cancellation No. 92066859 (parent)
v.) Cancellation No. 92066871
) Cancellation No. 92066876
Branded LLC)
Registrant.)

**PETITIONER VANS, INC.'S PAPER RELATING TO
REGISTRANT BRANDED LLC'S MOTION TO SUSPEND**

Petitioner Vans, Inc., files this paper to inform the Board that on November 16, 2020, Vans filed in the United States District Court for the Central District of California, Case Number 8:20-cv-02085-JVS-KES, a Motion to Stay Pending Proceedings in the Trademark Trial and Appeal Board. Attached herein are the Motion and declarations in support of the Motion. That civil action is the subject of Branded LLC's Motion to Suspend Pending Resolution of Civil Action, 50 TTABVUE.

Date: November 19, 2020

Respectfully submitted,

/Christopher B. Lay/

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Vans, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of PETITIONER VANS, INC.'S PAPER RELATING TO REGISTRANT BRANDED LLC'S MOTION TO SUSPEND and attached Documents were served this 19th Day of November, 2020, by email on the following Attorney of Record for Registrant:

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12
13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA

15
16 BRANDED LLC,
17 Plaintiff,
18 vs.
19 VANS, INC.,
20 Defendant.

Case No. 8:20-cv-02085
(Hon. James V. Selna)

**DEFENDANT VANS, INC.’S
NOTICE OF MOTION AND
MOTION TO STAY CASE PENDING
PROCEEDINGS IN THE
TRADEMARK TRIAL AND
APPEAL BOARD; MEMORANDUM
OF POINTS AND AUTHORITIES**

Date: December 14, 2020
Time: 1:30 p.m.
Court: 10C

Complaint Filed: 10/28/2020

*[Declaration of Nicholas J. Hoffman
and exhibits thereto, Declaration of
Christopher B. Lay, and [Proposed]
Order filed concurrently herewith]*

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1 TO THE COURT, THE PARTIES, AND THEIR COUNSEL:

2 PLEASE TAKE NOTICE that, on December 14, 2020, at 1:30 p.m., or as soon
3 thereafter as the parties may be heard, before the Honorable James V. Selna, United
4 States District Judge, for the Central District of California, in Courtroom 10c of the
5 United States Courthouse, 411 West 4th Street, Santa Ana, California 92701,
6 Defendant Vans, Inc. (“Defendant” or “Vans”), by and through its undersigned
7 counsel, will and hereby moves this Court to stay this action until after the Trademark
8 Trial and Appeal Board (“TTAB”) renders a final decision in the action styled *Vans,*
9 *Inc. v. Branded LLC*, Cancellation No. 92066859 (petition for cancellation filed
10 September 12, 2017). The TTAB proceeding involves the same two parties and the
11 same trademark registrations asserted by Plaintiff Branded LLC (“Branded” or
12 “Plaintiff”) in this action. In addition, the TTAB proceeding has been underway for
13 over three years and the trial period is ongoing, the TTAB recently ordered a partial
14 grant of summary judgment cancelling pertinent portions of the OLD SCHOOL
15 registrations Branded now asserts in this action, and a final determination by the
16 TTAB on Vans’ abandonment claims would likely have preclusive effect on all of
17 Branded’s claims in this action.

18 This Motion is based upon this Notice of Motion, the accompanying
19 Memorandum of Points and Authorities, the Declaration of Nicholas J. Hoffman (and
20 exhibits thereto), the Declaration of Christopher B. Lay, and the [Proposed] Order
21 filed concurrently herewith, as well as all pleadings and papers on file in this action,
22 and any oral argument or documentary matters as may be presented to the Court at or
23 before the hearing on this Motion.

24 This motion is made following the conference of counsel pursuant to Local
25 Rule 7-3, which took place on November 9, 2020. Branded’s counsel declined to
26 consent to Vans’ motion to stay this action.

27 However, Branded’s counsel consented to Vans’ additional request for an order
28 extending Vans’ time to respond to the complaint in this action until 14 days after

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