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

Proceeding	92078037
Party	Defendant JFE Franchising, Inc.
Correspondence Address	JFE FRANCHISING, INC. 2021 BINGLE RD. HOUSTON, TX 77055 UNITED STATES No email provided. No phone number provided.
Submission	Motion to Suspend for Civil Action
Filer's Name	L. Jeremy Craft
Filer's email	jcrafft@craftchu.com, trademark@craftchu.com
Signature	/347/025/
Date	10/30/2021
Attachments	347.025.Motion to Suspend Pending Civil Action.92078037.pdf(139559 bytes) Complaint_421CV03571_TXSD.pdf(3390477 bytes)

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

FOODKOPOLIS, LLC,

Petitioner,

v.

JFE FRANCHISING, INC.,

Registrant.

Cancellation No.: 92078037

U.S. Registration No.: 5727957

Registration Date: Apr. 16, 2019

Mark: SUSHIBOX (STYLIZED)

MOTION TO SUSPEND PENDING CIVIL ACTION

JFE Franchising, Inc. (“Registrant”), by its undersigned counsel, respectfully requests that the Board suspend the above-captioned cancellation proceeding (“Cancellation”), pending the disposition of a civil action recently filed by Registrant against Foodkopolis, LLC (“Petitioner”), as the litigation involves issues and claims in common with the Cancellation. In support of this motion, Registrant, by its undersigned counsel, directs the Board to a copy of the complaint that was filed on October 29, 2021 in the United States District Court for the Southern District of Texas against Petitioner, styled *JFE FRANCHISING, INC. v. FOODKOPOLIS, LLC*, Civil Action No. 4:21-cv-03571, and which is attached hereto.

There are no unusual circumstances in the current Cancellation that would warrant deviation from the Board’s standard practice, which is to “suspend proceedings in the case before it if the final determination of the other proceeding may have a bearing on the issues before the Board.” TBMP 510.02(a).

Registrant expects for the civil action to resolve all issues and claims present in the Cancellation. Accordingly, Registrant respectfully requests suspension of the Cancellation pending the final determination of the civil action.

Respectfully submitted,

DATE: October 30, 2021

By:  _____

L. Jeremy Craft

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ATTORNEY FOR REGISTRANT

CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2021, a true and correct copy of the foregoing MOTION TO SUSPEND PENDING CIVIL ACTION was served via email to Petitioner's counsel of record:

Christian Sanchelima
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ATTORNEY FOR PETITIONER



L. Jeremy Craft

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JFE FRANCHISING, INC.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. _____
	§	
FOODKOPOLIS, LLC,	§	
	§	
Defendant.	§	JURY TRIAL DEMANDED
	§	

**ORIGINAL COMPLAINT FOR TRADEMARK INFRINGEMENT
AND UNFAIR COMPETITION**

This is an action for trademark infringement and unfair competition under Section 32 and 43(a) of the Lanham Act (15 U.S.C. §§1114, 1125(a)) and the common law of the State of Texas. Plaintiff JFE Franchising, Inc. (“JFE”) respectfully brings this action to prevent further confusion and to protect its brand and its SUSHIBOX trademark from further damage caused by the wrongful activities of Defendant Foodkopolis, LLC (“Defendant”).

PARTIES

1. JFE Franchising, Inc. is a Texas corporation with a place of business at 2021 Bingle Road, Houston, Texas 77055.
2. Defendant is believed to be limited liability company organized under the laws of the State of Florida with an address at 2611 North Miami Avenue, Miami, Florida 33137. Upon information and belief, Defendant has appointed Rubino, Gonzalo as its registered agent for service of process, and such agent may be served at 9499 Collins Ave, Apt 804, Surfside, FL 33154

JURISDICTION AND VENUE

3. This Court has jurisdiction over the subject matter of this action pursuant to 15 U.S.C. §1121, and 28 U.S.C. §§1331, 1338(a), 1338(b), and 1367. This Court has supplemental

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