

THIS OPINION IS NOT A
PRECEDENT OF THE TTAB

Hearing: February 10, 2016

Mailed: June 25, 2015

UNITED STATES PATENT AND TRADEMARK OFFICE

—
Trademark Trial and Appeal Board

—
In re Summit Entertainment, LLC

—
Suspension

—
Serial Nos. 77921988

—
Jill M. Pietrini and Paul Bost of Sheppard Mullin Richter & Hampton LLP,
for Summit Entertainment, LLC.

Priscilla Milton, Trademark Examining Attorney, Law Office 110,
Chris A. F. Pedersen, Managing Attorney.¹

—
Before Kuhlke, Taylor, and Goodman,
Administrative Trademark Judges.

By the Board:

This appeal has been fully briefed and oral argument was held on February 10, 2016. However, one of the registrations which forms the basis for refusal under Section 2(d), Reg. No. 3018770, was registered on November 22, 2005. Accordingly, a Section 9 renewal affidavit was due to be filed by November 22, 2015, or within the six-month grace period following that date, *i.e.*, May 22, 2016. Office records do not

—
¹ Trademark Examining Attorney Deborah Meiners argued on behalf of the USPTO at oral hearing.

Serial No. 77921988

reflect the filing of such a paper as yet. If the Section 9 renewal affidavit is not filed within the six-month grace period following the due date, the cited registration will automatically be cancelled by this Office approximately 35 days thereafter. TMEP § 1611 (October 2015).

Accordingly, the Board hereby suspends action on this appeal pending a determination as to whether the cited registration will be cancelled. The status of the cited registration will be known on approximately June 27, 2016. However, if Applicant wishes the Board to render a decision now (in which case the cited registration must be treated as existing and valid), Applicant should so advise the Board within 30 days of this suspension order.

* * *