

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: April 17, 2012

In re Christoph Geskes

Serial No. 79066317

Filed: 2/12/2009

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Lalita R. Greer, Paralegal Specialist:

On April 3, 2012, applicant filed a paper advising the Board that it has filed an appeal in the United States Court of Appeals for the Federal Circuit court for review of the Board's decision that issued in its companion application Serial No. 77911173, and requests that this appeal be suspended pending the Federal Circuit court's final decision. The request is granted.

Trademark Rule 2.117(a) provides the following:

Whenever it shall come to the attention of the Trademark Trial and Appeal Board that a party or parties to a pending case are engaged in a civil action or another Board proceeding which may have a bearing on the case, proceeding may be suspended until determination of the other Board proceeding.

Suspension of a Board proceeding pending the final

determination of another proceeding is solely within the discretion of the Board and is generally suitable when a ruling on the other proceeding will have a bearing on the issues before the Board. See *The Tamarkin Co. v. SeawayFood Town Inc.*, 34 USPQ2d 1587, 1592 (TTAB 1995); *Martin Beverage Co., Inc. v. Colita Beverage Corp.*, 169 USPQ 568 (TTAB 1971).

Within twenty days after final decision, applicant should notify the Board so that this case may be called up for appropriate action.

During the suspension period, applicant shall notify the Board of any address changes.