

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Johnson

Mailed: October 15, 2002

Opposition No. 91113487

MICHAEL GLOSTER AND VICTORIA
GLOSTER T/A GLOSTER MARKETING

v.

RELIOS, INC.

LaToya C. Johnson, Paralegal:

Proceedings herein are suspended pending disposition of the motion to compel, except as discussed below. The parties should not file any paper which is not germane to the motion to compel. See Trademark Rule 2.120(e)(2), as amended effective October 9, 1998.¹

This suspension order does **not** toll the time for either party to respond to discovery requests which had been duly served prior to the filing of the motion to compel, nor does it toll the time for a party to appear for a discovery deposition

¹ See Notice of Final Rulemaking published in the *Federal Register* on September 9, 1998 at 63 FR 48081 and in the *Official Gazette* on September 29, 1998 at 1214 TMOG 145. A copy of the recent amendments to the Trademark Rules, as well as the *Trademark Trial and Appeal Board Manual of Procedure* (TBMP), is available at <http://www.uspto.gov>.

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which had been duly noticed prior to the filing of the motion to compel. See Id. The motion to compel will be decided in due course.

Opposer's motion (filed September 16, 2002) and supplemental motion (filed September 20, 2002) to suspend proceedings pending the disposition of a pending civil action between the parties are noted. However, inasmuch as opposer failed to provide proof of service of a copy of the same on counsel for applicant as required by Trademark Rule 2.119, the motion cannot be considered at this time.²

² It is noted that the motion was filed on behalf of opposer by counsel that is not listed of record for this proceeding. If opposer has had a change of counsel, the Board should be so informed so that Office records may be amended otherwise, Office records will continue to reflect the last attorney of record. As a **one-time** courtesy, a copy of this order is forwarded to Andrew Lapat, Stein & Silverman, P.C., 230 S. Broad Street, 18th Fl., Philadelphia, PA 19102.