

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Mailed: January 10, 2003

Opposition No. 91120453

HEARST COMMUNICATIONS, INC.
AND HEARST MAGAZINES PROPERTY,
INC.

v.

CHARLES BROWNING WILSON

Cheryl Goodman, Interlocutory Attorney:

On November 1, 2002, the Board issued an order denying applicant's second motion to compel a discovery response as premature.

Subsequently, opposer's opposition to applicant's motion to compel and cross motion to compel (filed October 17, 2002) was associated with the file. Applicant filed a response to opposer's cross motion to compel on November 4, 2002.

In view thereof, the Board will now consider opposer's cross motion to compel.

In its opposition to applicant's motion to compel, opposer has alternatively requested consideration by the Board of its cross motion to compel in the event that the Board finds applicant's motion to compel is not premature.

In response, applicant argues that if applicant's motion to compel is found premature by the Board, opposer's cross motion is also premature and should be denied.

Opposer's cross motion to compel was filed prior to the issuance of a resumption order by the Board, and therefore proceedings were considered to be suspended. See TBMP Section 510.03(b). Accordingly, opposer's cross motion to compel is premature and is denied without prejudice.

Dates remain as set in the board's order of November 1, 2002.