

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

FSW/kk

Mailed: January 22, 2003

Opposition No. 151,109

MARK D. TANNEN

v.

MACK, JAY

**Frances S. Wolfson, Interlocutory Attorney:**

Proceedings herein are suspended pending disposition of applicant's alternate motion to dismiss or for summary judgment. Any paper filed during the pendency of this motion which is not relevant thereto will be given no consideration, with the below exception. See Trademark Rule 2.127(d).

The Board regrets that it is unable to locate the declaration of Paul J. Reilly, filed November 20, 2002, together with any motion or papers filed by opposer with Mr. Reilly's declaration. Additional copies are requested and may be faxed to the Board at (703)308-9333.

Inasmuch as this suspension effectively dates back to the filing date of applicant's motion for summary judgment, opposer's motions (filed October 7, 2002 and December 23, 2002) to extend the discovery period and subsequent trial dates are moot. Upon resumption of proceedings, dates will be reset.