

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Baxley

Mailed: April 2, 2008

Opposition No. 91166487

Hasbro, Inc.

v.

Creative Action, LLC

Andrew P. Baxley, Interlocutory Attorney:

On March 26, 2008, opposer filed a consented motion to suspend this case for settlement negotiations, which the Board denied in a March 27, 2008 order because it did not include include a detailed report on the status of the parties' settlement negotiations, as required by the Board's September 7, 2007 order.

On April 1, 2008, opposer filed a renewed consented motion to suspend this proceeding. Notwithstanding applicant's consent thereto, the Board in its discretion elects to decide the motion on the merits.

Opposer contends in the renewed motion "that the parties have agreed to stay further negotiations pending the outcome of a civil suit in Rhode Island." Because the parties are not currently negotiating, the Board finds that there is no good cause to further suspend this case based on settlement negotiations. See Trademark Rule 2.117(c).

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However, later in its motion, opposer indicates that it is involved in a civil action in Rhode Island with MGA Entertainment.¹ If the civil action has a bearing upon this case, suspension of this case pending final determination, i.e., including all appeals or remands, of that civil action may be warranted under Trademark Rule 2.117(a).

Accordingly, opposer is allowed until thirty days from the mailing date set forth in the caption of this order to file with the Board a copy of the pleadings in that civil action. Proceedings herein are otherwise suspended.

¹ Opposer does not specify whether the civil action is in federal or state court.