

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

Lykos

Mailed: August 6, 2008

Opposition No. 91176716

Opposition No. 91176717

CBT Supply, Inc. and
Jeffrey Korber

v.

Stengel, Peter J.

Angela Lykos, Interlocutory Attorney

On March 26, 2008, the Board suspended proceedings herein pending final determination of a federal civil action between the parties in the U.S. District Court in Maryland.¹ The Board also allowed opposers time to submit the pleadings in a Maryland state civil action in the Circuit Court for Howard County² to determine whether that case may have a bearing on this consolidated opposition proceeding. Upon review of the pleading submitted by opposers on April 18, 2008, the Board finds that the

¹ Case No. 1:05-CV-03456 in the United States District Court for the District of Maryland.

² Case No. 13-C-05-064158.

Maryland state case may be dispositive of or have a bearing on the Board case. Accordingly, proceedings are suspended pending final disposition of the state civil action between the parties. See Trademark Rule 2.117(a).

Within twenty days after the final determination of the state civil action, the parties shall so notify the Board and call this case up for any appropriate action. During the suspension period, the parties shall notify the Board of any address changes for the parties or their attorneys.

NEWS FROM THE TTAB:

The USPTO published a notice of final rulemaking in the Federal Register on August 1, 2007, at 72 F.R. 42242. By this notice, various rules governing Trademark Trial and Appeal Board inter partes proceedings are amended. Certain amendments have an effective date of August 31, 2007, while most have an effective date of November 1, 2007. For further information, the parties are referred to a reprint of the final rule and a chart summarizing the affected rules, their changes, and effective dates, both viewable on the USPTO website via these web addresses:

<http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf>

http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf

By one rule change effective August 31, 2007, the Board's standard protective order is made applicable to all TTAB inter partes cases, whether already pending or commenced on or after that date. However, as explained in the final rule and chart, this change will not affect any case in which any protective order has already been approved or imposed by the Board. Further, as explained in the final rule, parties are free to agree to a substitute protective order or to supplement or amend the standard order even after August 31, 2007, subject to Board approval. The standard protective order can be viewed using the following web address:

<http://www.uspto.gov/web/offices/dcom/ttab/tbmp/stndagmnt.htm>