

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

dmd

Mailed: October 24, 2007

Opposition No. 91179074

Ascencia Bank, Inc.

v.

Ascentia Capital Partners,
LLC

Cindy B. Greenbaum, Managing Interlocutory Attorney:

It has come to the Board's attention that defendant's attorney, Scott J. Fields, died on April 23, 2007. Mr. Fields was a sole practitioner whose law firm was known as National IP Rights Center, LLC, located at Suite 400, 550 Township Line Road, Blue Bell, PA 19422.

By letter dated May 8, 2007, Paul C. Heintz, Esq. informed the USPTO that the law firm of Obermayer Rebmann Maxwell & Hippel LLP now represents Joanne Fields, administratrix of the estate Mr. Fields. Mr. Heintz also indicated that Mr. Fields' law practice will be liquidated.

On June 6, 2007, in the matter captioned "Office of Disciplinary Counsel v. Scott J. Fields," the Court of Common

Pleas of Montgomery County Pennsylvania entered an order appointing Paul J. Burgoyne, Esq. to serve as Conservator for Scott J. Fields. That order specifically directs Mr. Burgoyne to "take possession of Respondent's files, distribute the files to Respondent's clients and take action with respect to Respondent's bank accounts as required by Pa.R.D.E. 321, 322 and 324."

In view of the foregoing, the Board hereby vacates the notice of default issued on October 23, 2007.

Proceedings herein are suspended retroactive to April 23, 2007, except as noted. Defendant is allowed until thirty days from the mailing date of this order to appoint a new attorney, or to file a paper stating that defendant chooses to represent itself. If defendant files no response, the Board may issue an order to show cause why default judgment should not be entered against defendant based on defendant's apparent loss of interest in the case.

The parties will be notified by the Board when proceedings are resumed, and dates will be rescheduled at the appropriate time.

A copy of this order has been sent to all persons listed below.

cc:

Ascentia Capital Partners LLC
9408 Double R Blvd.
Reno, NV 87521

Scott W. Johnson
Merchant & Gould PC
PO Box 2910
Minneapolis, MN 55402-0910

<insert defendant's name/address>

Office of Conservator for
Scott J. Fields
820 Adams Avenue
Suite 170
Trooper, PA 19304-2328