

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

vw

Mailed: May 28, 2010

Opposition No. 91188903

Apple Inc.

v.

Fabasoft AG

**M. Catherine Faint,
Interlocutory Attorney:**

Opposer's motion to compel and brief filed March 10, 2010 and applicant's motion to suspend for another proceeding filed March 16, 2010 are noted.

Proceedings are suspended pending disposition of the motions to compel and to suspend for another proceeding. The parties should not file any paper which is not germane to the motions. See Trademark Rule 2.120(e)(2).

In order to fully consider the motion to suspend, the Board requires a copy of the pleadings from the other proceeding be submitted. Accordingly, applicant is order to provide a copy of the pleadings within FIFTEEN DAYS of the mailing date of this order. See *Forest Laboratories, Inc. v. G.D. Searle & Co.*, 52 USPQ2d 1058 (TTAB 1999).

This suspension order does **not** toll the time for either party to make any required disclosure, to respond to discovery requests which had been duly served prior to the filing and service of the motion to compel, or to appear for a discovery deposition which had been duly noticed prior to the filing and service of the motion to compel. *See Id.*

The motions will be decided in due course.
