

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

Am

Mailed: August 7, 2012

Opposition No. 91197669
(parent case)

Opposition No. 91197670

TYR Sport, Inc.

v.

Marc Dushey

Cheryl S. Goodman, Interlocutory Attorney:

On August 1, 2012, opposer filed a stipulation to further suspend for the parties' settlement negotiations. Opposer used the automated ESTTA form, which set forth a trial schedule, although there is presently a pending motion for summary judgment and pending motions to extend time and to suspend for civil action. Accordingly, the trial schedule set forth in opposer's electronically generated August 1, 2012 motion was incorrect.

In view thereof, the Board's order of August 1, 2012 granting opposer's motion is hereby vacated with respect to the trial schedule.

Opposer's consented motion, filed August 1, 2012, to suspend proceedings to continue settlement discussions is granted as follows.

Proceedings herein are suspended until September 1, 2012, subject to the right of either party to request resumption at any time. See Trademark Rule 2.117(c).

In the event that there is no word from either party concerning the progress of their negotiations, upon conclusion of the suspension period, proceedings shall resume on September 2, 2012 without further notice or order from the Board, to the extent that proceedings shall remain suspended for the motion for summary judgment.

Opposer is thereafter allowed until September 22, 2012 to respond to applicant's motion to extend its time to respond the motion for summary judgment and to suspend proceedings for the parties' civil action, both filed June 11, 2012).