

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

Mailed: September 25, 2012

Opposition No. 91202802

R2Sonic, LLC

v.

Reson A/S

**Robert H. Coggins,
Interlocutory Attorney:**

This case comes up on opposer's motion to suspend proceedings (filed April 11, 2012) pending disposition of a California civil action between the parties, and consented motion to suspend proceedings (filed September 18, 2012) pending determination of the earlier motion.

Telephone Conference

On September 25, 2012, at approximately 1:00 p.m. Eastern time, the Board exercised its discretion to conduct a telephone conference to determine the outstanding motions. Participating in the conference were Jane Shay Wald, counsel for opposer; Richard Lehv, counsel for applicant; and the above-signed Board attorney responsible for resolving interlocutory matters in this case.

Motion to Suspend for Civil Action

The motion to suspend proceedings pending final determination of the California civil action was denied. Although the parties are in reverse positions in the civil action, it does not appear that the civil action will have a bearing on the Board case. The civil action appears to involve different marks and different claims. The Board considered opposer's oral comments and written arguments that the civil action may involve one representation of applicant's RESON mark that includes as a design element the design mark at issue in the subject application; however, the Board found the connection tenuous and, on the record before it (which included the civil complaint and answer submitted during briefing of the motion, and a discussion of civil discovery issues raised during the conference), denied the motion to suspend.

Motion to Suspend for Outstanding Motion

After a discussion with the parties about the current schedule in the Board case, the motion to suspend pending determination of the earlier motion was granted to the extent that dates were reset on the following schedule.

Discovery Closes	Closed
Plaintiff's Pretrial Disclosures	11/21/2012
Plaintiff's 30-day Trial Period Ends	1/5/2013
Defendant's Pretrial Disclosures	1/20/2013

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Defendant's 30-day Trial Period Ends	3/6/2013
Plaintiff's Rebuttal Disclosures	3/21/2013
Plaintiff's 15-day Rebuttal Period Ends	4/20/2013

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125. Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.