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

Mailed: September 19, 2013

Opposition No. 91204122

Empire State Building
Company L.L.C.

v.

Michael Liang

Karl Kochersperger, Paralegal Specialist:

Proceedings herein are *suspended* pending disposition of opposer's motion for sanctions (filed September 11, 2013). Any paper filed during the pendency of this motion which is not relevant thereto will be given no consideration. *See* Trademark Rule 2.127(d).

On September 6, 2013, applicant filed its responses to opposer's first set of requests for admissions and opposer's first set of interrogatories and request for production of documents and things that were apparently served on counsel for opposer, with the Board.

Applicant is advised that

> [r]equests for discovery, responses thereto, and materials or depositions obtained through the discovery process should not be filed with the board except when submitted with a motion relating to discovery, or in support of or response to a motion for summary judgment, or under a notice of reliance during a party's testimony period. Papers or materials filed in violation of this paragraph may be returned by the Board.

Trademark Rule 2.120(j)(8).

Accordingly, applicant's discovery responses will be disregarded by the Board, and shall not be considered of record by the parties for any purpose, unless hereafter properly submitted.[1]

****

[1] To avoid the additional burden to the Board, we will not return applicant's papers in this case.