**UNITED STATES PATENT AND TRADEMARK OFFICE**
**Trademark Trial and Appeal Board**
**P.O. Box 1451**
**Alexandria, VA 22313-1451**
General Contact Number: 571-272-8500

Mailed: April 16, 2014

Opposition No. 91204186

ZippMark, Inc.

v.

Lorillard Technologies, Inc.

**George C. Pologeorgis,**
**Interlocutory Attorney:**

Applicant's motion (filed April 8, 2014) to suspend this proceeding pending the final determination of a civil action between opposer and applicant's exclusive licensee, namely, LOEC, Inc., in the United States District Court for the Central District of California[1] is **GRANTED** as well taken.[2]

It is the policy of the Board to suspend proceedings when the parties are involved in a civil action, which may be dispositive of or have a bearing on the Board case. *See* Trademark Rule 2.117(a). The Board has carefully reviewed the civil action complaint submitted concurrently with applicant's

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[1] Case No. 2:14-cv-02596, *styled Loec, Inc. v. ZippMark, Inc. and Zippo Manufacturing Company*, filed on or about April 7, 2014.
[2] Applicant submitted a copy of the civil action complaint with its motion to suspend.

motion to suspend and finds that the final disposition of the civil action may have a bearing on the issues in this proceeding.

Accordingly, this proceeding is **SUSPENDED** pending final disposition of the civil action, including all appeals.

Within twenty days after the final determination of the civil action, the parties shall so notify the Board so that this proceeding may be called up for appropriate action.[3] Such notification to the Board should include a copy of any final order or final judgment which issued in the civil action.

During the suspension period, the parties must notify the Board of any address changes for the parties or their attorneys. In addition, the parties are to promptly inform the Board of any other related cases, even if they become aware of such cases during the suspension period. Upon resumption, if appropriate, the Board may consolidate related Board cases.

[3] A proceeding is considered to have been finally determined when a decision on the merits of the case (*i.e.*, a dispositive ruling that ends litigation on the merits) has been rendered, and no appeal has been filed therefrom, or all appeals filed have been decided. *See* TBMP § 510.02(b).