

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

Mailed: August 20, 2013

Opposition No. 91205687

David D'Amato

v.

Echl, Inc.

Veronica P. White, Paralegal Specialist:

Opposer's motion (filed June 19, 2013) to suspend the proceeding pending final determination of a civil action between the parties is hereby **GRANTED** as well taken and as conceded pursuant to Trademark Rule 2.127(a).¹ 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).

¹ The referenced civil action is *David D'Amato v. Echl, Inc., Orlando Pro Hockey Operations, LP, Jason Siegel, Bob Ohrablo, and Joe Haleski*, Case 1:13-cv-00646 pending before the United States District Court for the Western District of New York.

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

Within twenty days after the final determination of the civil action, the parties shall so notify the Board and call this case up for any appropriate action.²

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² 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 (2013).