

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: January 13, 2015

Opposition No. 91206211

ABM Wireless, Inc. d/b/a Mobileistic

v.

Mophie, Inc.

**Lalita Greene, Paralegal Specialist:**

The motion (filed November 14, 2014) to suspend this proceeding pending final determination of Civil Action No. 14-civ-01422-JLS-RNM filed in the Central District of California is granted as well taken.<sup>1</sup> 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).

Accordingly, proceedings are suspended pending final disposition of the civil action.

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

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<sup>1</sup> If a copy of the pleadings in the civil action was not filed with the motion to suspend, [insert party] is allowed until twenty days from the mailing date of this order in which to file a copy of the pleadings.

appropriate action.<sup>2 3</sup> 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.

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<sup>2</sup> 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).

<sup>3</sup> Applicant's non-opposition filed December 4, 2014 to opposer's motion to suspend for civil action is noted.