

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

Mailed: August 23, 2013

Opposition No. 91209194

Puckmaster LLC

v.

5 Continent, Inc.

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

On August 2, 2013, applicant filed a motion seeking summary judgment, or, in the alternative, dismissal of the notice of opposition for failure to state a claim upon which relief can be granted.

Briefing Suspended

Inasmuch as the motion (at p. 4) and declaration attached thereto (at paras. 17-18) reference a civil action, and an adversarial proceeding within a bankruptcy context, both of which may have a bearing on the Board opposition case, briefing on applicant's motion is **suspended**¹ and any consideration of the motion is **deferred**. *See, generally,* TBMP §§ 510.01-.02(a) (3d ed. rev.2 2013).

¹ In view of suspended briefing, opposer need not (and should not) yet file a brief in opposition, or any other response, to the motion. Briefing will be resumed later, when appropriate.

Information Required

Applicant is ordered to provide the Board with copies of the relevant pleadings (i.e., the operative complaint and answer) from the civil action, and from the adversarial proceeding within the context of bankruptcy. Applicant must also provide the current procedural status of the civil action, the adversarial proceeding, and the bankruptcy proceeding; and must inform the Board of any other civil actions or proceedings that might have a bearing on the Board case. Applicant is allowed until **thirty days** from the mailing date of this order in which to provide the requested pleadings and information.

Change of Address

It is noted that the signatory block of applicant's motion contains an address for counsel that is not of record. If applicant's correspondence address has changed, applicant should file a separate written notice.² TBMP § 117.07. Until such notice is filed, the Board will use for applicant the correspondence address listed in the power of attorney filed March 18, 2013.

²For applicant's ease and convenience, applicant may update its address using the "Change of Address" filing option in ESTTA.