

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: November 24, 2015

Opposition No. 91212024

Republic Technologies (NA), LLC

v.

Brooks Entertainment Inc.

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

Now before the Board is Opposer's motion (filed November 19, 2015) to suspend Board proceedings pending the issuance and enforcement of a district court subpoena for Applicant's testimony. The Board exercises its discretion to determine the motion prior to the time in which Applicant might otherwise file a response thereto. The motion to suspend is **granted** as well-taken. Trademark Rule 2.117(c). In view thereof, proceedings are **suspended** pending the completion of Applicant's testimony deposition.¹

¹ The motion will be given no consideration to the extent Opposer seeks, in the alternative, sanctions in the form of judgment against Applicant for Applicant's indication that it will not take further action in the case. Exhibit H to the motion states that Applicant's cancellation of the deposition relates to "an urgent matter that has come up" and that Applicant "apologized for the change." These statements do not indicate that Applicant will not take any further action in the case, as contemplated by TBMP § 527.03 (2015) (Inherent Authority to Sanction).

Opposer must inform the Board within **fifteen days** of the final disposition of its attempt to obtain and enforce a subpoena for Applicant's testimony, so that Board proceedings may be appropriately resumed (and the remainder of Opposer's testimony period reset, if necessary).