

EJW/vw

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: August 5, 2016

Opposition No. 91214086

Starbuzz Tobacco, Inc.

v.

Philip Melnick

ELIZABETH J. WINTER, INTERLOCUTORY ATTORNEY:

Proceedings are **SUSPENDED** pending disposition of Opposer's motions to compel,¹ filed July 18, 2016, except as discussed below. The parties should not file any paper which is not germane to the motions to compel. *See* Trademark Rule 2.120(e)(2).

Neither the filing of the motions to compel nor this suspension order tolls the time for parties to make required discovery disclosures, or to respond to any outstanding discovery requests which had been served prior to the filing of the motion to compel, nor does it excuse a party's appearance at any discovery deposition which had been duly noticed prior to the filing of the motions to compel. When the motion to compel is filed after discovery has closed, but prior to the opening of the first testimony period, the time period for making pretrial disclosures is suspended. *See* Trademark Rule 2.120(e)(1); TBMP § 523.01.

The motions to compel will be decided in due course.

¹ The Board notes that one of the motions to compel seeks to have the Board issue an order stating that Opposer's requests for admission are deemed admitted.