

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: April 28, 2016

Opposition No. 91227369

*SBE Hotel Licensing, LLC*

v.

*Luxe Hospitality Company*

George C. Pologeorgis,  
Administrative Trademark Judge:

On April 14, 2016, Opposer filed a motion to suspend this proceeding pending the final disposition of a civil action between the parties herein in the United States District Court for the Central District of California.<sup>1</sup>

When a motion to suspend pending the outcome of a civil action is filed, the Board normally will require that a copy of the operative pleadings from the civil action be submitted, so that the Board can ascertain whether the final determination of the civil action may have a bearing on the issues before the Board. *See Forest Laboratories Inc. v. G.D. Searle & Co.*, 52 USPQ2d 1058, 1060 (TTAB 1999) (parties required to submit a copy of the complaint in the civil action so that Board may determine whether suspension is warranted). This requirement ordinarily is waived if all parties consent to the suspension. *See TBMP* § 502 (2015).

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<sup>1</sup> Case No. 2:15-cv-07115, styled *Luxe Hospitality Company, LLC v. SBE Entertainment Group, LLC, et al.*

In this instance, Opposer's motion does not include copies of the operative pleadings in the civil action nor does the motion provide Applicant's consent.

In view thereof, Opposer is allowed until **May 5, 2016** in which to submit copies of the operative pleadings in the civil action (both complaint and counterclaim, if applicable) or provide Applicant's consent to the motion to suspend, failing which Opposer's motion to suspend for civil action will be given no further consideration.

Proceedings are otherwise suspended pending Opposer's response to this order.