

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

DUNN

Mailed: September 9, 2009

Cancellation No. 920044697

ACM Enterprises, Inc.

v.

Jeannette Martello

**Elizabeth A. Dunn, Attorney (571-272-4267):**

Inasmuch as the Board's February 20, 2009 order suspended proceedings pending the disposition of petitioner's motion to compel, and the parties were specifically directed to file only papers germane to the motion to compel, respondent's combined motion to amend its answer and for summary judgment filed March 21, 2009 is denied as untimely.

The parties are ordered to appear before the Board by telephone on Wednesday, September 16, 2009 at 1PM EST (10AM PST) for a conference and ruling on the pending motion to compel.<sup>1</sup> Trademark Rule 2.120(i)(1). The parties are

---

<sup>1</sup> In the event a party has a conflict with the scheduled time of the conference, please inform Elizabeth Dunn immediately at the number listed above.

ordered to call Elizabeth Dunn at the number listed above no later than September 15, 2009 to inform the Board of the name and telephone number of the individual who will participate in the conference.

Pursuant to Trademark Rule 2.120(e)(1), if issues raised in the motion to compel are subsequently resolved by agreement of the parties, the moving party should inform the Board in writing of the issues in the motion which no longer require adjudication. With the exception of such notice that discovery issues have been resolved, no further papers should be filed in this matter until the Board rules on the pending motion.

Proceedings herein remain suspended.

\*\*\*