

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

Mailed: April 9, 2006

Opposition No. 92045166

Earthlite Massage Tables,
Inc.

v.

Lifegear, Inc.

**Thomas W. Wellington,
Interlocutory Attorney:**

The motion (filed February 15, 2006) to suspend the proceeding pending final determination of a civil action between the parties is hereby granted as well taken. It is the policy of the Board to suspend proceedings when the parties are involved in a civil action, which may be dispositive of or have a bearing on the Board case. See Trademark Rule 2.117(a).

Accordingly, proceedings are suspended pending final disposition of the civil action between the parties.

The Board does note that there is a pending motion in the civil action to suspend matters pending the outcome of this Board proceeding. Should the District Court grant

said motion, the parties should so inform the Board and proceedings herein will be resumed. Otherwise, within twenty days after the final determination of the civil action, the interested party should notify the Board so that this case may be called up for appropriate action. During the suspension period the Board should be notified of any address changes for the parties or their attorneys.

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