

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

Mailed: June 7, 2010

Cancellation No. 92048118

Jack Richeson & Co., Inc.

v.

Select Export Corp. dba  
Trident

**George C. Pologeorgis, Interlocutory Attorney:**

Respondent's motion (filed June 5, 2010) to suspend this proceeding pending the final determination of a civil action between the parties is hereby granted as well taken.<sup>1</sup> 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). Following a careful review of the civil action complaint, submitted concurrently with respondent's motion to suspend, the Board finds that the

---

<sup>1</sup> Case No. 9:10-cv-80526, styled *Select Export Corp. v. Jack Richeson, Jack Richeson & Co., et al.*, filed on or about April 21, 2010 in the United States District Court for the Southern District of Florida, Miami Division.

final determination of civil action may be dispositive of or have a bearing on the issues in this case.

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

Within twenty days after the final determination of the civil action, the parties shall so notify the Board and call this case up for any appropriate action. During the suspension period, the parties shall notify the Board of any address changes for the parties or their attorneys.

As a final matter, the Board notes that respondent, on June 5, 2010, also filed a motion to strike the trial testimony of Domingos Zanoocco or in the alternative for sanctions. Consideration of respondent's motion to strike is hereby deferred pending the final disposition of the civil action between the parties. If appropriate and necessary, upon resumption of this proceeding, the Board will provide petitioner time in which to respond to respondent's motion to strike.