

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

Brown

Mailed: December 18, 2008

Cancellation No. 92048480

Sinbad Grand Cafe, LLC

v.

AL-FAKHER FOR TABACCO
TRADING & AGENCIES CO. LTD.

Brian D. Brown, Interlocutory Attorney:

Upon further review of the record, the Board has become aware of a pending civil action involving the subject mark. In view thereof, the parties are allowed thirty (30) days from the mailing date of this supplemental order to file a status report of the civil action so that the Board can determine whether to suspend proceedings pending the outcome of that proceeding. Ordinarily, the Board will suspend proceedings in a case before it if the final determination of the other proceeding will have a bearing on the issues before the Board. *See General Motors Corp v. Cadillac Club Fashions, Inc.*, 22 USPQ 1933 (TTAB 1992).

Continuing, while respondent's timely response to the motion for sanctions is noted and made of record, respondent must submit a change of attorney name along with the

corresponding address to prevent the sending of future correspondence to respondent's prior attorney. Also, if either of the parties should have any additional changes of address or correspondence, the Board should be so informed in writing.

Otherwise, proceedings herein remain suspended and all pending motions, including the motion for sanctions, will be decided in due course.

NEWS FROM THE TTAB:

The USPTO published a notice of final rulemaking in the Federal Register on August 1, 2007, at 72 F.R. 42242. By this notice, various rules governing Trademark Trial and Appeal Board inter partes proceedings are amended. Certain amendments have an effective date of August 31, 2007, while most have an effective date of November 1, 2007. For further information, the parties are referred to a reprint of the final rule and a chart summarizing the affected rules, their changes, and effective dates, both viewable on the USPTO website via these web addresses:
<http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf>
http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf

By one rule change effective August 31, 2007, the Board's standard protective order is made applicable to all TTAB inter partes cases, whether already pending or commenced on or after that date. However, as explained in the final rule and chart, this change will not affect any case in which any protective order has already been approved or imposed by the Board. Further, as explained in the final rule, parties are free to agree to a substitute protective order or to supplement or amend the standard order even after August 31, 2007, subject to Board approval. The standard protective order can be viewed using the following web address:
<http://www.uspto.gov/web/offices/dcom/ttab/tbmp/stndagmnt.htm>