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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92048667
Party	Plaintiff Jules Jurgensen/Rhapsody, Inc.
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Attachments	JJ's Motion to Suspend Proceedings.pdf (2 pages)(22706 bytes)

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BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Jules Jurgensen/Rhapsody, Inc.,)	
)	
Petitioner,)	Cancellation No. 92048667
)	
v.)	
)	
Peter Baumberger,)	
)	
Respondent.)	

PETITIONER'S MOTION TO SUSPEND PROCEEDINGS

Petitioner moves the Board for Order suspending proceedings in this cancellation until Petitioner's request for reconsideration (presently being prepared) of the Board's decision striking the testimony of Morton Clayman is decided and all possible reviews of that decision are exhausted.

On July 6, 2009, the Board granted Respondent's motion to strike the testimony of Morton Clayman.

Subsequent to the granting of Respondent's Motion, Respondent filed a Motion for Judgement under Trademark Rule 2.132(a).

Petitioner is presently preparing a request for reconsideration of the Boards's decision of July 6, 2009. Under Trademark Rule 2.127(b), a request for reconsideration of an order or decision issued on a motion must be filed within in one month from the date of the order or decision.

Thus, in the present case the time for filing the of Respondent's request for reconsideration is due by August 6, 2009.

Accordingly, any action on Respondent's Motion for Judgement under Trademark Rule 2.132(a) is premature until Petitioner's request for reconsideration is decided and all possible reviews of that decision are exhausted.

Jules Jurgensen/Rhapsody, Inc.

/Stuart E. Beck/
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The undersigned Certifies that on July 20, 2009 a copy of this Petitioner's Motion to Suspend Proceedings was sent by email to Andrea Anderson, the attorney for the Respondent at Aanderson@hollandhart.com, and by first class mail, postage prepaid at:
Holland & Hart
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/Stuart E. Beck/
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