

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

Mailed: July 28, 2009

Opposition No. 92048667

Jules Jurgensen/Rhapsody,
Inc.

v.

Peter Baumberger

Ann Linnehan, Interlocutory Attorney

Proceedings herein are suspended pending disposition of the motion for judgment filed by respondent on July 20, 2009. Any paper filed during the pendency of this motion which *is not relevant thereto* will be given no consideration. See Trademark Rule 2.127(d).

The Board acknowledges that on July 20, 2009 petitioner filed a motion wherein it argued that respondent's motion for judgment is premature and that proceedings should be suspended until petitioner could file a request for reconsideration of the Board's July 6, 2009 order. The motion is denied. The Board would consider such a request for reconsideration to be relevant to respondent's July 20, 2009 motion for judgment. Hence, the Board may elect to consider both motions concurrently.

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>