

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

Mailed: August 21, 2009

Opposition No. 92048777

adidas America, Inc.

v.

Michael Calmese

**Robert H. Coggins,
Interlocutory Attorney:**

Each party has notified the Board that the civil action which occasioned the suspension of this proceeding is still pending. Accordingly, proceedings herein remain suspended pending final determination of the civil action.¹ See Trademark Rule 2.117(a). Within twenty days after such final determination, the parties shall so notify the Board so that this cancellation proceeding may be called up for appropriate action.² During the suspension period, the parties shall notify the Board of any address changes for the parties or their attorneys.

¹ Respondent's embedded motion to dismiss the cancellation proceeding based on an alleged denial of the second and third causes of action in the civil action will be given no consideration. There remain other causes of action --including respondent's counterclaims against petitioner-- which may have a bearing on this proceeding.

² If appropriate, action upon resumption may include determination of petitioner's outstanding motions (1) for default judgment or sanctions and (2) to strike respondent's sur-reply.