

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

Lykos

Mailed: February 19, 2009

Cancellation No. 92049926

Penthouse Digital Media  
Productions Inc.

v.

Cloudstreet, Inc. dba  
Roxbury Entertainment

**Angela Lykos, Interlocutory Attorney**

On February 13, 2009, respondent filed a copy of a stipulation filed in the U.S. District Court, Central District of California, where the parties are involved in a civil action.<sup>1</sup> As per the terms of the stipulation, the parties have agreed to suspend the cancellation proceeding herein pending final determination of the civil action between the parties. On February 13, 2009, the U.S. District Court judge approved the stipulation.

Accordingly, proceedings are suspended pending final disposition of the civil action between the parties. See Trademark Rules 2.127(a) and 2.117(a). Respondent's

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<sup>1</sup> Civil Action No. CV-08-03872 FMXC (JWJx).

contested motion to suspend (filed October 7, 2008) and motion to extend its time to file an answer (filed October 8, 2008) are therefore moot.

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.

**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](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>