

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

Mailed: August 20, 2010

Cancellation No. 92051514

Reliant Hospital Partners, LLC

v.

Reliant Management Group,
L.L.C.

Ann Linnehan, Interlocutory Attorney

This case now comes up for consideration of respondent's motion (filed June 18, 2010) to suspend this case pending final determination of a civil action in federal district court. The motion is contested.

Trademark Rule 2.117(a) provides that "[w]henever it shall come to the attention of the ... Board that a party or parties to a pending case are engaged in a civil action...which may have a bearing on the case, proceedings before the Board may be suspended until termination of the civil action."

The Board notes that on July 21, 2010 respondent filed a copy of its first amended complaint in the civil action.

After reviewing the parties' arguments and the amended civil action pleading, the Board finds that the civil action at issue may a bearing upon the above-captioned proceeding

Cancellation No. 92051514

in that both parties are involved and the federal action may determine the parties' rights to the mark(s) at issue in this proceeding. In the interest of judicial economy and consistent with the Board's inherent authority to regulate its proceedings to avoid duplicating the efforts of the district court and the possibility of reaching an inconsistent conclusion, suspension is appropriate. See TBMP Section 510.02(a) (2d ed. rev. 2004).

In view thereof, respondent's motion to suspend is hereby granted. Proceedings herein are suspended pending final disposition, including any and all appeals and remands, of Case No. 3:10-CV-122-B.¹

Within twenty days after the final determination of the civil action², the parties should notify the Board so that this case may be called up for appropriate action.

¹ During the suspension period the Board should be notified of any address changes for the parties or their attorneys.

² The civil action is styled *Reliant Management Group, LLC D.B.A. Reliant Rehabilitation and Reliant Pro Rehab, LLC D.B.A. Reliant Rehabilitation v. Reliant Hospital Partners, LLC.*, Case No. 3:10-CV-122-B, filed in the United States District Court for the Northern District of Texas.

Cancellation No. 92051514