

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

Mailed: February 1, 2011

Cancellation No. 92052327

Elvis Presley Enterprises,  
Inc.

v.

King of Rock 'N' Roll Music,  
Inc.

**M. Catherine Faint,  
Interlocutory Attorney:**

In its order of January 21, 2011, the Board noted at page 3, paragraph 4 that respondent's reply brief of January 4, 2011 was timely filed. It has come to the Board's attention that petitioner's combined response to the cross-motion for summary judgment and reply brief was served via hand delivery on December 15, 2010. This means that the five additional days under Trademark Rule 2.119(c) were not available for filing a reply brief, and respondent's reply brief was due December 30, 2010 in order to be considered timely. Accordingly, the reply brief filed January 4, 2011 was not timely.

Proceedings are otherwise suspended. The pending motions for summary judgment and to amend the pleadings will be decided in due course.

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