

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

am

Mailed: August 15, 2011

Cancellation No. 92053166

Hat World, Inc.

v.

Leigh A. Gayden

Jennifer Krisp, Interlocutory Attorney:

Opposer's motion (filed June 30, 2011) to suspend this proceeding pending final determination of a civil action between the parties is hereby granted as conceded and as well taken. See Trademark Rules 2.127(a) and 2.117(a).

Accordingly, proceedings are suspended pending final disposition of the civil action between the parties.¹

Within twenty days after the final determination of the civil action, the parties shall so notify the Board and call this case up for appropriate action. Respondent's

¹ Said civil action is Case No. 1:11-cv-00705, pending in the United States District Court for the Eastern District of Virginia.

A proceeding is considered to have been finally determined when a decision on the merits of the case (i.e., a dispositive ruling that ends litigation on the merits) has been rendered, and no appeal has been filed therefrom, or all appeals filed have been decided. See TBMP § 510.02 (3d ed. 2011).

"answer" filed March 26, 2011 is noted. Inasmuch as said "answer" is not in compliance with Fed. R. Civ. P. 8(b), in the event of resumption, as appropriate, the Board will address the deficiencies in respondent's pleading, and will allow time for respondent to file a proper and conforming answer to the petition to cancel. See Trademark Rule 2.114(b)(1); TBMP § 311.02 (3d ed. 2011).

During the suspension period, the parties shall notify the Board of any address changes for the parties or their attorneys.