

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

EJW/lg

Mailed: September 21, 2011

Cancellation No. 92053518

Baron Nahmias Inc.

v.

Atlantic Bottling, LLC

**ELIZABETH J. WINTER, INTERLOCUTORY ATTORNEY:**

Proceedings herein are SUSPENDED<sup>1</sup> pending disposition of petitioner's motion (filed September 7, 2011) for summary judgment. Any paper filed during the pendency of this motion which is not relevant thereto will be given no consideration. See Trademark Rule 2.127(d).



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<sup>1</sup> It is noted that while the Board and the parties discussed during the discovery conference the revised trial schedule (as set forth in the Board's order mailed on March 3, 2011), the April 7, 2011 order following that conference inadvertently referred to the trial dates set forth in the Board's institution order as applying to this proceeding (order at 5). To the extent the Board's April 7, 2011 order stated that the institution order dates still applied in this proceeding, said order is vacated. In any event, should this proceeding resume after the Board's consideration of the referenced motion for summary judgment, trial dates will be reset, as necessary, in accordance with the Board's scheduling order mailed on March 3, 2011, and in regard to when the motion for summary judgment was filed.