

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

RA

Mailed: December 17, 2014

Cancellation No. 92057941

Clockwork IP, LLC

v.

Barnaby Heating & Air¹

Benjamin U. Okeke, Interlocutory Attorney:

Proceedings are **SUSPENDED** pending disposition of Respondent's motion to reopen discovery and reset dates, filed October 17, 2014, and Petitioner's November 6, 2014 motion to compel, except as discussed below. The parties should not file any paper which is not germane to the motion to compel. *See* Trademark Rule 2.120(e)(2). The Board notes Petitioner's November 3, 2014 response to respondent's October 17, 2014 motion.

Neither the filing of the motion to compel nor this suspension order tolls the time for parties to make required discovery disclosures, or to respond to any outstanding discovery requests which had been served prior to the filing of the motion to compel, nor does it excuse a party's appearance at any discovery deposition which had been duly noticed prior to the filing of the motion to compel.

¹ Respondent's October 17, 2014 motion to reopen discovery is noted, as is its November 18, 2014 reply in support of motion.

When a motion to compel is filed after discovery has closed, but prior to the opening of the first testimony period, the time period for making pretrial disclosures is suspended. *See* Trademark Rule 2.120(e)(1); TBMP § 523.01.

The motions will be decided in due course.