

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

Mailed: November 20, 2014

Cancellation No. 92059289

D.J. Bronson, Inc.

v.

Damo Textile

**Veronica P. White, Paralegal Specialist:**

On July 14, 2014, respondent filed its answer to the petition for cancellation. On September 18, 2014, applicant filed an amended answer.

On October 8, 2014, petitioner filed a motion to suspend the above-referenced cancellation proceeding pending final determination of a civil action between the parties (Case No. 2:14-cv-07818, pending in the United States District Court for the Central District of California) (the “Federal Case”).

**Amended Answer**

An answer may be amended once as a matter of course at any time within 21 days after it was served and need not be accompanied by a motion for leave to amend. *See* TBMP Section 507.02 and Fed. R. Civ. P. 15(a)(1)(A). In view thereof, respondent’s amended answer is accepted and entered into the record.

**Motion to Suspend**

It is the policy of the Board to suspend proceedings when the parties are involved in a civil action which may be dispositive of or have a bearing on the Board case. *See* Trademark Rule 2.117(a).

Accordingly, petitioner's motion to suspend pending final determination of the Federal Case is hereby granted as conceded. *See* Trademark Rules 2.127(a) and 2.117(a).

Within **TWENTY (20) DAYS** after the final determination of the Federal Case, the parties shall so notify the Board so that this proceeding may be called up for appropriate action.<sup>1</sup> Such notification to the Board should include a copy of any final order or final judgment which issued in the civil action.

During the suspension period, the parties must notify the Board of any address changes for the parties or their attorneys. In addition, the parties are to promptly inform the Board of any other related cases, even if they become aware of such cases during the suspension period. Upon resumption, if appropriate, the Board may consolidate related Board cases.

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<sup>1</sup> 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(b).