

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

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Mailed: August 29, 2015

Cancellation No. 92061407

Advance Marketing Plus Corp.

v.

*Ellie Ann North, Francisco N. Gil, Vivian Gil
Rovelli, Victoria Weingartner*

Elizabeth A. Dunn, Attorney (571-272-4267):

Proceedings are suspended pending disposition of Respondent's motion for summary judgment on claim preclusion (filed August 26, 2015). See Trademark Rule 2.127(e)(1) ("A party may not file a motion for summary judgment until the party has made its initial disclosures, except for a motion asserting claim or issue preclusion or lack of jurisdiction by the Trademark Trial and Appeal Board.")¹

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).

The motion for summary judgment will be decided in due course.

¹ Although titled a motion to dismiss on the ground of claim preclusion, respondent's motion includes about 40 pages of exhibits. Where a motion to dismiss is based on issue or claim preclusion and accompanied by matters outside the pleadings, the Board may treat the motion as one for summary judgment, in which case, the parties will be given reasonable opportunity to present all material that is pertinent to the motion. See Fed. R. Civ. P.12(d).