

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

wbc

Mailed: October 8, 2015

Cancellation No. 92061934

Groupon, Inc.

v.

Townsquare Commerce, LLC

Wendy Boldt Cohen, Interlocutory Attorney:

On September 1, 2015, Respondent filed a motion to suspend this proceeding pending final determination of a civil action filed in the United States District Court of the Northern District of Texas, styled, *Townsquare Commerce, LLC v. Groupon, Inc.*, C.A. No. 3:15-cv-1870-P filed May 29, 2015. The motion has been fully briefed. The Board has considered the parties' submissions and presumes the parties' familiarity with the factual bases for the motion and does not recount them here.

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). Inasmuch as the civil action involves both parties and the same mark at issue in this proceeding along with similar claims for relief, the case may be dispositive of or have a bearing on this proceeding.

Accordingly, Respondent's motion to suspend for civil action is **granted**. This proceeding is suspended pending final disposition of the civil action between the parties, and in view of this suspension, any pending motions are denied without prejudice.

Within **twenty days** after the final determination of the civil action, the parties shall so notify the Board in writing, including a copy of the court's final order.

If a party believes its motion pending at the time of suspension and denied by this order was not resolved or made moot by the civil action, the party may renew the motion by citing its title, date of filing, and docket entry in the Board's electronic proceeding file. Any motion renewed must be accompanied by a signed statement that the motion has been reviewed in its entirety and concerns matters still disputed between the parties.

If the renewed motion was contested at the time of suspension and the non-moving party believes that its original response requires supplementation in view of events since suspension, the non-moving party has fifteen days from the date of service of the renewal of the motion to file a supplemental response.

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