

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Mailed: July 16, 2003

Opposition No. 91125876

PROMOTION IN MOTION, INC.

v.

MALACO LEAF AB

Nancy L. Omelko, Interlocutory Attorney:

This order supercedes the Board's order dated July 10, 2003:

Applicant's consented combined motion (filed February 6, 2003) to file a late answer and suspend proceedings pending disposition of a civil proceeding between the parties is hereby granted. Applicant's answer is noted. Opposer's consented motion (filed June 20, 2003) to extend testimony periods is also approved.

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). It is the view of the Board that the outcome of the motion before the United States District Court for the Southern District of New may be dispositive or have a bearing on the Board case.

Accordingly, proceedings are suspended pending final disposition of the civil action between the parties.

Within twenty days after the final determination of the civil action, the interested party should notify the Board so that this case may be called up for appropriate action. During the suspension period the Board should be notified of any address changes for the parties or their attorneys.

If proceedings herein are subsequently resumed, the Board will issue an order resuming proceedings beginning with opposer's testimony period.