

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Cataldo/Ricks

Mailed: January 11, 2005

Opposition No. **91162979**

ZONE PERFECT  
NUTRITION COMPANY

v.

Sears, Barry D.

**Peter Cataldo, Interlocutory Attorney**

The applicant's motions (filed November 26, 2004) to extend his time to answer the notice of opposition, and to suspend this proceeding pending final determination of a civil action between the parties, are hereby granted as conceded. See Trademark Rules 2.127(a) and 2.117(a).

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, including a resetting of applicant's time in which to file and serve his answer. During the suspension period the Board should be notified of any address changes for the parties or their attorneys.