

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

Mailed: March 9, 2006

Opposition No. 91168356

Empire Iron Works, Inc.

v.

Empire Home Services, LLC

George C. Pologeorgis, Interlocutory Attorney:

It has come to the Board's attention that the parties are involved in a civil action. 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 instant proceeding. See Trademark Rule 2.117(a).

A review of the complaint in the civil case in the U.S. District Court for the Eastern District of Michigan, Southern Division, Case No. 05-72584 indicates that a decision by the district court could be dispositive of, or have a bearing on, the issues in this opposition proceeding.

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.

In addition, the Board notes opposer's February 24, 2006 objection to applicant's motion (filed February 10, 2006) to amend the recitation of services of the involved application. In light of opposer's objection, if the Board resumes and resets dates in this proceeding, the Board will defer consideration of the proposed amendment until final hearing, and the opposition will go forward based on the presently worded recitation of services in the involved application.