

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

Mailed: January 25, 2007

Opposition No. 91169787

**Major League Baseball
Players Association**

v.

Miliente, James, F

Cheryl Butler, Attorney, Trademark Trial and Appeal Board:

Opposer, on November 30, 2006, filed a motion for summary judgment. By order of the Board dated December 4, 2006, proceedings were suspended pending disposition of the summary judgment motion. On December 21, 2006, applicant filed a consented motion to suspend proceedings because the parties are negotiating for a possible settlement of this case. Applicant requests that, in the event his motion is not granted, his time to respond to the summary judgment motion be reset.

Applicant's motion to suspend for purposes of settlement is granted. Proceedings herein are suspended until **six months** from the mailing date of this action, subject to the right of either party to request resumption at any time. See Trademark Rule 2.117(c).

In the event that there is no word from either party concerning the progress of their negotiations within the next six months, the Board will issue an order resuming proceedings and resetting the time for applicant to respond to opposer's summary judgment motion.¹

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.



¹Applicant is reminded that no extensions of time are available for seeking Fed. R. Civ. P. 56(f) discovery. See Trademark Rule 2.127(e)(1); and TBMP §528.06 (2d ed. rev. 2004). In any event, discovery closed in this case on October 1, 2006, well before the filing of opposer's motion for summary judgment.