

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

Mailed: November 26, 2014

Opposition No. 91215415

LVGV, LLC

v.

Empire Resorts, Inc.

**Denise M. DelGizzi,  
Technical Program Manager:**

On October 8, 2014, the Board issued an order suspending proceeding herein pending the disposition of (1) Opposer's motion to consolidate (filed July 22, 2014); and (2) Applicant's motion for partial judgment on the pleadings (filed September 16, 2014), and indicated that any paper filed that was not germane to the motions would not be considered.

In view thereof, Applicant's motion to suspend Rule 2.127(d) so that Applicant may file a motion to compel (filed November 5, 2014), Opposer's response thereto (filed November 13, 2014), Applicant's motion for a Protective Order (filed November 20, 2014), and Opposer's response thereto (filed November 25, 2014), are not deemed to be germane to the outstanding motion for partial judgment on the pleadings, and will not be given further consideration.

Opposer's motion to consolidate and applicant's motion for partial judgment on the pleadings will be decided in due course.<sup>1</sup>

Proceedings remain suspended.

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<sup>1</sup> Opposer's response (filed November 12, 2014) to Applicant's motion for judgment on the pleadings is noted.