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

vw

Mailed: September 16, 2016

Opposition No. 91225286

Cantine Ceci S.p.A.

v.

Rage Records Inc. dba
Rosalie Sendelbach Imports

Jennifer Krisp, Interlocutory Attorney:

Proceedings are suspended pending disposition of Applicant's September 14, 2016 motion for summary judgment.[1] Any paper filed during the pendency of this motion which is not relevant thereto will be given no consideration. *See* Trademark Rule 2.127(d).

In addition to tolling the time to respond to outstanding discovery requests, suspension of proceedings tolls the time for parties to make required disclosures. *See* TBMP § 528.03 (2016).

The motion for summary judgment will be decided in due course.

On August 17, 2016, Applicant filed a copy of discovery requests and/or responses. As the Board similarly advised Applicant in its June 16, 2016 order,

[1] Applicant's previous motion, also filed September 14, 2016 (25 TTABVUE) is superseded by the subsequent motion, which includes proof of service on Opposer's counsel on September 14, 2016 (26 TTABVUE 6).

discovery, responses thereto, and materials or depositions obtained through the disclosure or discovery process, should not be filed with the Board except when submitted (1) with a motion relating to discovery; or (2) in support of or in response to a motion for summary judgment; or (3) under a notice of reliance during a party's testimony period; or (4) as exhibits to a testimony deposition; or (5) in support of an objection to proffered evidence on the ground that the evidence should have been, but was not, provided in response to a request for discovery. *See* Trademark Rule 2.120(j)(8); TBMP § 704.09 (2016). The record reflects that the discovery requests were not filed with respect to any of these enumerated reasons. In view thereof, the Board will give the August 17, 2016 filing no consideration.