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
General Email: TTABInfo@uspto.gov

February 25, 2019

Proceeding No. 91239064

Google LLC

v.

CaptionedTube, LLC

MOTION TO SUSPEND GRANTED

By the Trademark Trial and Appeal Board:

Google LLC's motion, filed **Feb 25, 2019**, to suspend this proceeding for **30** days is granted.

Accordingly, proceedings are suspended, subject to the right of either party to request resumption at any time.[1] Trademark Rule 2.117(c).

In the event that there is no word from either party, proceedings shall resume on 3/28/2019 without further notice or order from the Board, upon the schedule set forth in the motion.

[1] The parties should note that if proceedings are suspended for a lengthy period of time pursuant to the filing of several motions to suspend for settlement, the Board retains discretion to condition the approval of any future consented or stipulated motion to suspend on a party or the parties providing necessary information about the status of settlement talks, discovery activities, or trial activities, as may be appropriate. *See* Trademark Rule 2.117(c).

During the suspension period, the parties shall notify the Board of any change of address or email address for either the parties or their counsel. *See* Trademark Rule 2.18(b)(1). In addition, the parties are to promptly inform the Board of any other related cases, even if they become aware of such cases during the suspension period. Upon resumption, if appropriate, the Board may consolidate related Board cases.

Generally, the Federal Rules of Evidence apply to Board trials. Trial testimony is taken and introduced out of the presence of the Board during the assigned testimony periods. The parties may stipulate to a wide variety of matters, and many requirements relevant to the trial phase of Board proceedings are set forth in Trademark Rules 2.121 through 2.125. These include pretrial disclosures, the manner and timing of taking testimony, matters in evidence, and the procedures for submitting and serving testimony and other evidence, including affidavits, declarations, deposition transcripts, and stipulated evidence. Trial briefs shall be submitted in accordance with Trademark Rules 2.128(a) and (b). Oral argument at final hearing will be scheduled only upon the timely submission of a separate notice as allowed by Trademark Rule 2.129(a).