

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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EJW

July 18, 2019

Opposition No. 91239139

San Pasqual Casino Development Group, Inc.

v.

3 Square, Inc.

and

Opposition No. 91249349

3 Square, Inc.

v.

San Pasqual Casino Development Group, Inc.

ELIZABETH J. WINTER, INTERLOCUTORY ATTORNEY:

The Board notes the combined motion to dismiss, to institute a concurrent use proceeding, and to consolidate the above-referenced proceedings filed July 10, 2019, in Opposition No. 91249349 by Applicant in that proceeding, San Pasqual Casino Development Group, Inc. (“San Pasqual”). The combined motion is filed in lieu of an answer therein. Although the proceedings are not consolidated, in the interest of judicial efficiency and because they involve similar issues, the Board issues this single

Opposition No. 91239139; and Opposition No. 91249349

order in connection with the motion to dismiss filed in Opposition No. 91249349. The order shall be uploaded into each case file.

When a party timely files a potentially dispositive motion, the proceeding is suspended with respect to all matters not germane to the motion, and no party should file any paper which is not germane to the motion except as otherwise may be specified in a Board order. *See* Trademark Rule 2.127(d). Accordingly, as of the filing date of the motion to dismiss, proceedings are **SUSPENDED** pending disposition of San Pasqual's motion to dismiss. Any paper filed during the pendency of this motion which is not germane thereto will be given no consideration. *See* Trademark Rule 2.127(d).

The parties should note that the schedule for the discovery conference, initial disclosures and discovery is also suspended by this order and will be reset in the event that the Board resumes proceedings. TBMP § 401.01.

The motion to dismiss will be decided in due course.

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