

UNITED STATES PATENT AND TRADEMARK OFFICE  
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July 20, 2018

Opposition No. 91241481

*Smokey Island Grille LLC*

*v.*

*The Tai Walker Company, LLC, Ty Walker*

**J. Krisp, Interlocutory Attorney:**

The Board notes Applicant's<sup>1</sup> motion to dismiss (filed June 26, 2018).

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 the motion. 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.

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<sup>1</sup> The notice of appearance filed June 25, 2018 for Applicant is noted and the proceeding file has been updated to reflect the change.

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The motion to dismiss will be decided in due course.