

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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January 23, 2023

Opposition No. 91281704

*Viahart LLC*

*v.*

*Creative Kids Online LLC*

**Chaunte Austin, Paralegal Specialist:**

The motion filed December 6, 2022 to suspend this proceeding pending final determination of Civil Action No. 1:20-CV-09943-GHW filed in the Southern District of New York is granted as conceded.<sup>1</sup> See Trademark Rules 2.127(a) and 2.117(a).

Accordingly, proceedings are suspended pending final disposition of the civil action.

Within twenty days after the final determination of the civil action, the parties shall so notify the Board so that this proceeding may be called up for appropriate action.<sup>2</sup> Such notification to the Board should include a copy of any final order or final judgment which issued in the civil action.

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<sup>1</sup> If a copy of the pleadings in the civil action was not filed with the motion to suspend, ^ is allowed until twenty days from the date of this order in which to file a copy of the pleadings.

<sup>2</sup> A proceeding is considered to have been finally determined when an order or ruling that ends litigation has been rendered, and no appeal has been filed, or all appeals filed have been decided and the time for any further review has expired. See TBMP § 510.02(b).

During the suspension period, the parties must notify the Board of any address or email address changes for the parties or their attorneys. 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.