

THIS ORDER IS NOT A  
PRECEDENT OF THE TTAB

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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Alexandria, VA 22313-1451  
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RK/am

April 13, 2023

Opposition No. **91283364**

*Equibal, Inc.*

*v.*

*Bruno Borges Garcia*<sup>1</sup>

**Yong Oh (Richard) Kim, Interlocutory Attorney:**

Pursuant to the schedule in the Board's notice of institution, an answer to the notice of opposition was due on March 25, 2023.<sup>2</sup> No answer was filed.

On April 10, 2023, Applicant moved to suspend this matter pending disposition of a civil action between the parties.<sup>3</sup> On April 11, 2023, Opposer cross-moved for default judgment for Applicant's failure to timely answer the notice of opposition.<sup>4</sup>

In view of these filings, proceedings herein are **SUSPENDED** pending the disposition of the parties' motions. Any paper filed during the pendency of these motions which is not relevant thereto will be given no consideration. *See* Trademark Rule 2.127(d).

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<sup>1</sup> Applicant's change of correspondence address (filed April 3, 2023) has been noted and entered into the proceeding file.

<sup>2</sup> 2 TTABVUE 3.

<sup>3</sup> 5 TTABVUE.

<sup>4</sup> 6 TTABVUE.

The parties are directed to proceed with briefing on each of the motions in accordance with Trademark Rule 2.127(a). Since the Board will first decide the question of Applicant's default before proceeding to the question of suspension, the Board expects that Applicant will make a proper showing of a meritorious defense as part of any response to Opposer's motion for default judgment.

The motions will be decided in due course.

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