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

September 9, 2025

Opposition No. 91293375

teleMovement Physical Therapy, a Professional corporation

v.

Everex

Katerina D. Sparer, Interlocutory Attorney:

On August 8, 2025, Opposer filed a motion for summary judgment. 7 TTABVUE. On August 11, 2025, the Board suspended proceedings pending the disposition of Opposer's motion for summary judgment. 8 TTABVUE. On September 8, 2025, Applicant filed a combined response to Opposer's motion for summary judgment and cross-motion for summary judgment. 9 TTABVUE.

Opposer's motion for summary judgment and Applicant's cross-motion for summary judgment address the same issues, namely, likelihood of confusion. Accordingly, Opposer is directed to file a **single, combined** reply brief in support of its motion for summary judgment and brief in response to Applicant's cross-motion for summary judgment. *See* TBMP § 528.01. Opposer's combined brief is due no later than **thirty days** from the date of service of Applicant's combined response and cross-motion. *See* Trademark Rule 2.127(e)(1). Opposer's combined brief may not exceed

the 25-page limitation set forth in Trademark Rule 2.127(a). *See Cooper Tech. Co. v. Denier Electric Co*., 89 USPQ2d 1478, 1479 (TTAB 2008); *see also* TBMP § 528.01.

Applicant's reply brief in support of its cross-motion for summary judgment is due no later than **twenty days** from the date of service of Opposer's combined reply brief in support of its motion for summary judgment and brief in response to Applicant's cross-motion for summary judgment. *See* Trademark Rule 2.127(e)(1). Applicant's reply brief may not exceed the 10-page limitation set forth in Trademark Rule 2.127(a).

Proceedings otherwise remain **suspended** pending disposition of the parties' cross-motions for summary judgment. 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). The motions will be decided in due course.