

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Mailed: January 7, 2004

Cancellation No. 92040968

TOMA'S L.L.C.

v.

H.C.T.V., INC.

Thomas W. Wellington
Interlocutory Attorney,
Trademark Trial and Appeal Board:

Petitioner's motion (filed March 5, 2003) to extend discovery and trial dates is granted as conceded. Trademark Rule 2.127(a).

Also, petitioner's motion (filed July 9, 2003) to suspend the proceeding pending final determination of a civil action between the parties is also hereby granted as conceded. See Trademark Rules 2.127(a) and 2.117(a).

In view of the Board's disposition of petitioner's motions and because petitioner's testimony has not opened, respondent's motion (filed August 20, 2003) for judgment under Rule 2.128 is denied.

Proceedings are suspended pending final disposition of the civil action between the parties.

Within twenty days after the final determination of the civil action, the interested party should notify the Board

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so that this case may be called up for appropriate action.
During the suspension period the Board should be notified of
any address changes for the parties or their attorneys.