

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Baxley

Mailed: December 12, 2006

Cancellation No. 92045838

Mountain Valley Spring
Company, LLC

v.

David M. Zutler

Andrew P. Baxley, Interlocutory Attorney:

Proceedings herein are suspended retroactive to December 11, 2006 pending disposition of petitioner's motion to compel, except as discussed below. The parties should not file any paper which is not germane to the motion to compel. See Trademark Rule 2.120(e)(2).

This suspension order does **not** toll the time for either party to respond to discovery requests which had been duly served prior to the filing of the motion to compel, nor does it toll the time for a party to appear for a discovery deposition which had been duly noticed prior to the filing of the motion to compel. See *id.* The motion to compel will be decided in due course.

Cancellation No. 92045838