

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

Mailed: February 27, 2008

Cancellation No. 92047963

Lily Chin

v.

Spinrite Limited Partnership

Cheryl Goodman, Interlocutory Attorney:

On January 22, 2008, the Board advised in its suspension order that no papers not germane to the motion to dismiss should be filed.<sup>1</sup>

On February 25, 2008, petitioner filed a motion to compel. Inasmuch as the motion to compel is not germane to the pending motion to dismiss, the motion will be given no consideration at this time.

It is also noted that respondent filed a reply to a motion to compel, which was filed in the parties' related cancellation proceeding Cancellation no. 92045408 but the proceeding number identified was Cancellation no. 92047963. This paper also will be given no consideration.

The parties are advised that the Board may consolidate these related proceedings at a later date, if appropriate.

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<sup>1</sup> Although the Board's order of January 22, 2008 provided time for respondent to file a reply to its motion to dismiss and a

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However, at this time, the parties are reminded to file their motion papers in the appropriate proceeding and to identify the appropriate cancellation number on each filing.

Proceedings herein remain suspended pending disposition of the motion to dismiss.

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The USPTO published a notice of final rulemaking in the Federal Register on August 1, 2007, at 72 F.R. 42242. By this notice, various rules governing Trademark Trial and Appeal Board inter partes proceedings are amended. Certain amendments have an effective date of August 31, 2007, while most have an effective date of November 1, 2007. For further information, the parties are referred to a reprint of the final rule and a chart summarizing the affected rules, their changes, and effective dates, both viewable on the USPTO website via these web addresses:

<http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf>

[http://www.uspto.gov/web/offices/com/sol/notices/72fr42242\\_FinalRuleChart.pdf](http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf)

By one rule change effective August 31, 2007, the Board's standard protective order is made applicable to all TTAB inter partes cases, whether already pending or commenced on or after that date. However, as explained in the final rule and chart, this change will not affect any case in which any protective order has already been approved or imposed by the Board. Further, as explained in the final rule, parties are free to agree to a substitute protective order or to supplement or amend the standard order even after August 31, 2007, subject to Board approval. The standard protective order can be viewed using the following web address:

<http://www.uspto.gov/web/offices/dcom/ttab/tbmp/stndagmnt.htm>

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response to petitioner's motion to reopen, it is noted that respondent filed such papers on January 17, 2008.