

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

nmt

Mailed: July 21, 2010

Cancellation No. 92051975

Farmamedica, S.A.

v.

**Alfaro de Maron, Ana Eloisa
del Carmen d/b/a Combisa
Laboratorios**

Cheryl Butler, Attorney, Trademark Trial and Appeal Board:

On July 15, 2010, respondents filed a response to the Board's June 15, 2010 inquiry as to the status of the civil litigation in which the parties are involved. Trademark Rule 2.127(a). In their response, respondents indicate that the court case remains open. Respondents express their belief that this cancellation proceeding should not be suspended pending disposition of the court case. However, as the Board observed in its June 15th order, respondent Ana Eloisa del Carmen, a party in the current court case, asked the court to find the earlier court settlement to be invalid and, alternatively, that she complied with the literal terms of the judgment. Thus, a determination by the district court on these issue may, at least, have a bearing on the

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present cancellation proceeding. See TBMP §510.02(a) (2d ed. rev. 2004).

Accordingly, inasmuch as the parties are still engaged in the civil action which occasioned suspension on June 15, 2010, the proceeding remains suspended pending final determination of the civil action. See Trademark Rule 2.117(a).

Within twenty days after such final determination, the parties shall so notify the Board and call up this proceeding for appropriate action. During the suspension period, the parties shall notify the Board of any address changes for the parties or their attorneys.
