

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

Mailed: September 6, 2011

Cancellation No. 92052908

Triumbari Corporation

v.

Joseph J. Norton

**Robert H. Coggins,
Interlocutory Attorney:**

Motion to Dismiss

Proceedings are suspended pending disposition of respondent's motion (filed August 19, 2011) for partial dismissal of the amended petition. Except to the extent ordered below, any paper filed during the pendency of this motion which is not relevant thereto will be given no consideration. See Trademark Rule 2.127(d).

Civil Action Information

It is noted that the original and amended petitions reference a civil action and allege that petitioner intends to challenge an injunction and seek a declaration related to the subject registration. In view thereof, petitioner is ordered to provide the Board with the current status of the

referenced civil action, and to provide a copy of the relevant pleadings therefrom.¹ Petitioner must also state whether there are any other civil actions which may have a bearing on the Board case, and, if there are, provide the board with the status of and operative pleadings therefrom. Petitioner is allowed until September 22, 2011, in which to provide the requested information.²

¹ Petitioner should not submit copies of all of the pleadings from the civil action, but must submit copies of those pleadings that relate to and control petitioner's alleged challenge, or any other relevant pleadings that show that the civil action may have a bearing on this Board proceeding. See Trademark Rule 2.117(a).

² This deadline does not affect the date by which petitioner is allowed to respond to the outstanding motion to dismiss. See Trademark Rules 2.119(c) and 2.127(a).