

BUO

Mailed: September 2, 2014

Opposition No. 92053315

*American Univ.*

*v.*

*The Am. Univ. for Science and Tech.*

**Benjamin U. Okeke, Interlocutory Attorney:**

Proceedings are **SUSPENDED**<sup>1</sup> pending disposition of the motion to compel, except as discussed below.<sup>2</sup> The parties should not file any paper which is not germane to the motion to compel. *See* Trademark Rule 2.120(e)(2).

Neither the filing of the motion to compel nor this suspension order tolls the time for parties to make required discovery disclosures, or to respond to any outstanding discovery requests which had been served prior to the filing of the motion to compel, nor does it excuse a party's appearance at any discovery

---

<sup>1</sup> This suspension of the proceeding renders moot the parties' stipulated motion, filed June 21, 2014, for suspension in view of the parties' settlement negotiations.

<sup>2</sup> Respondent should note that its responses to petitioner's discovery requests, in general, should not be filed with the Board during the conduct of discovery. *See* Trademark Rule 2.120(j)(8); TBMP § 409. Therefore, respondent's submissions filed June 14, 2014, and August 2, 2014, are inappropriate, and will be given no further consideration. Should respondent desire to make these documents of record, respondent must file them at the appropriate time.

deposition which had been duly noticed prior to the filing of the motion to compel and is not the subject of this motion to compel.

When the motion to compel is filed after discovery has closed, but prior to the opening of the first testimony period, the time period for making pretrial disclosures is suspended. *See* Trademark Rule 2.120(e)(1); TBMP § 523.01.

The motion to compel will be decided in due course.