

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

Mailed: April 20, 2016

Cancellation No. 92057182 (**parent**)

Stephen R. Enos

v.

Pasquale Rotella, and  
Insomniac Holdings, LLC

-----and -----

Cancellation No. 92061310

Gary Richards

v.

Insomniac Holdings, LLC

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

This order modifies the automatically-generated ESTTA suspension order dated April 18, 2016.

Lead Counsel for Petitioners

Petitioners' amended designation of lead counsel (filed March 1, 2016) is noted and entered. Accordingly, Christopher L. Rudd, of the Rudd Law Firm PC, is acknowledged as Petitioners' lead counsel.

Withdrawal and Appearance of Counsel for Richards

In view of the request to withdraw as counsel of record for Petitioner (in the “child” case) Gary Richards, and the subsequent appearance of counsel by Gregory P. Korn, the request to withdraw as counsel is **granted**. The firm of Fross Zelnick et al., no longer represents Petitioner Gary Richards. Board records have been updated to reflect that Gregory P. Korn, of Kinsella Weitzman et al., is now counsel for Petitioner Gary Richards.

Suspension for Civil Action

Proceedings for these consolidated cases remain **suspended** pending disposition of a civil action between the parties which has been removed from the Superior Court for the State of California to the United States District Court for the Central District of California (Case No. 2:16-cv-02408-JFW-AJW, styled *Stephen R. Enos v. Live Nation, Inc., et al.*). Trademark Rule 2.117(a).

Within thirty days after the final determination of the civil action<sup>1</sup> the parties shall so notify the Board so that these consolidated proceedings may be called up for appropriate action. Such notification to the Board should include a copy of any final order or final judgment which issued in the civil action.

During the suspension period, the parties must notify the Board of any address changes for the parties or their attorneys. In addition, the parties are to promptly

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<sup>1</sup> A proceeding is considered to have been finally determined when a decision on the merits of the case (*i.e.*, a dispositive ruling that ends litigation on the merits) has been rendered and no appeal has been filed therefrom or all appeals filed have been decided. *See* TBMP § 510.02(b).

inform the Board of any other related cases, even if they become aware of such cases during the suspension period.

All Other Matters Moot

In view of the suspension ordered herein, the outstanding motions to compel, for sanctions, to reopen discovery depositions, and for an extension of time are denied without prejudice as **moot**. If either party believes that its previously outstanding motion, which was pending at the time of this order and denied hereby, has not been resolved or made moot by the disposition of the civil action, the party may renew the motion in its notification of the final determination of the civil action by citing the motion's title, date of filing, and docket entry number in the Board's electronic proceeding file (i.e., TTABVUE). Any renewed motion must be accompanied by a signed statement that the motion has been contemporaneously reviewed in its entirety and concerns matters still disputed between the parties.