

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

DUNN

Mailed: February 2, 2018

Cancellation No. 92065794

*The Marshall Tucker Band, Inc.*

*v.*

*MT Industries, Inc.*

**Elizabeth A. Dunn, Attorney (571-272-4267):**

Proceedings are suspended pending disposition of the motion, filed December 1, 2017, to determine the sufficiency of Petitioner's responses to requests for admissions, except as discussed below. The parties should not file any paper that is not germane to the motion. *See* Trademark Rule 2.120(i)(2).<sup>1</sup>

The parties may not serve any additional discovery until the period of suspension is lifted or expires by or under order of the Board. The filing of the motion shall not toll the time for a party to comply with any initial disclosure requirement, or to respond to any outstanding discovery requests or to appear for any noticed discovery deposition.

The motion will be decided in due course.

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<sup>1</sup> Inasmuch as the Board's rule states that the Board will suspend proceedings when a party files a motion to determine the sufficiency of an answer or objection to a request for an admission, Petitioner's motion to suspend is denied as moot.