

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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CME

December 13, 2018

Cancellation No. 92067794

Joshua S. Schoonover

v.

The Burton Corporation

Christen M. English, Interlocutory Attorney:

On November 19, 2018, Petitioner filed a motion for summary judgment. The motion is timely pursuant to Trademark Rule 2.127(e)(1).

When a party timely files a potentially dispositive motion, the proceeding is suspended with respect to all matters not germane to the motion, and no party should file any paper which is not germane to the motion except as otherwise may be specified in a Board order. Trademark Rule 2.127(d). Accordingly, as of the filing date of the motion for summary judgment, proceedings are suspended pending disposition of the motion. Any paper filed during the pendency of this motion which is not germane thereto will be given no consideration. *Id.*

In addition to tolling the time to respond to outstanding discovery requests, suspension of proceedings tolls the time for parties to make required disclosures. TBMP § 528.03 (2018).

Petitioner's motion for summary judgment will be decided in due course.