

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
General Email: TTABInfo@uspto.gov

July 3, 2019

Cancellation No. 92067794

Joshua S. Schoonover

v.

The Burton Corporation

Rebecca Stempien Coyle, Interlocutory Attorney:

Proceedings are **suspended** pending disposition of Respondent's June 25, 2019, motion to strike Petitioner's expert disclosure or, in the alternative, to compel expert report, except as discussed below. The parties should not file any paper which is not germane to the motion. *See* Trademark Rules 2.120(f)(2).

The filing of the motion shall not toll 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 deposition which had been duly noticed prior to the filing of the motion to compel. If the motion to compel was timely filed after discovery closed and prior to the deadline for pretrial disclosures for the first testimony period, the parties need not make pretrial disclosures until directed to do so by the Board. *See* Trademark Rules 2.120(f)(2) and 2.120(i)(2); TBMP § 523.01

The motion to compel will be decided in due course.