

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

August 20, 2019

Cancellation No. 92071210

RLP Ventures, LLC

v.

Enseo, Inc.

Andrew P. Baxley, Interlocutory Attorney:

Because the above-captioned proceeding and Opposition No. 91241388 involve the same parties and common issues of law and fact, the Board finds that Opposition No. 91241388 may have a bearing upon the above-captioned proceeding.¹ *See* Trademark Rule 2.117(a). Proceedings herein are therefore suspended pending final determination of Opposition No. 91241388 between the parties.² *See* TBMP § 510.02(a) (2019).

¹ Discovery is closed in Opposition No. 91241388, while the above-captioned proceeding is early in the discovery period. In view of the different procedural postures of the respective proceedings, the Board finds that consolidation of the proceedings is unwarranted. *See Lever Brothers Co. v. Shaklee Corp.*, 214 USPQ 654, 655 (TTAB 1982).

² A proceeding is considered to have been finally determined when an order or ruling that ends litigation has been rendered, and no appeal has been filed, or all appeals filed have been decided and the time for any further review has expired. The expiration of any further review includes the time for petitioning for rehearing or U.S. Supreme Court review. The Board does not resume its proceedings until after the time for seeking such review has expired, a decision denying or granting such review has been rendered, and any further review has been completed. TBMP § 510.02(b).

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Within twenty days of the final determination of Opposition No. 91241388, Petitioner shall notify the Board. That notice shall include a copy of any final decisions in Opposition No. 91241388. While this case is suspended, the parties must keep their correspondence addresses current.