

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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Alexandria, VA 22313-1451
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ca

September 30, 2022

Cancellation No. 92078302

Seneca Foods Corporation

v.

Gemsa Enterprises, LLC dba Gemsa Oils

J. Krisp, Interlocutory Attorney:

Proceedings are suspended pending disposition of the motion, filed September 21, 2022, to compel discovery, except as discussed below. The parties should not file any submission that is not germane to the motion to compel. *See* Trademark Rule 2.120(f)(2).

If any issues raised in the motion are subsequently resolved, the moving party should inform the Board in writing of the issues which no longer require adjudication. Trademark Rule 2.120(f)(1); TBMP § 523.02 (June 2022).

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 to compel disclosure or discovery 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. If the motion to compel was filed after

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the close of discovery, the parties need not make pretrial disclosures until directed to do so by the Board. *See* Trademark Rule 2.120(f)(2); TBMP § 523.01.

The motion to compel will be decided in due course.