UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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July 24, 2026

In re Joshua James Waldrop

Ex Parte Appeal No. 97691670

By the Trademark Trial and Appeal Board:

On July 15, 2026, two weeks before an oral hearing was to be held in this appeal, Appellant filed a request to suspend this appeal and remand the file back to the Examining Attorney. Appellant states that it has reached an agreement on terms for a co-existence and consent agreement with the owner of cited Registration No. 5215129 and that the parties are now in the process of finalizing the agreement.[1] Appellant further states that it believes that the agreement when completed "will be able to obviate the Section 2(d) refusal raised by the Examining Attorney, thereby rendering the instant appeal as moot."[2]

Prior to the issuance of the Board's decision in an ex parte appeal, proceedings with respect to the appeal may be suspended upon written request by the Appellant for good cause shown. *Cf.* Trademark Rule 2.117(c), 37 C.F.R. § 2.117(c). *See also,* TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE (TBMP) § 1213 (2026).

[1] 24 TTABVUE 2.

[2] *Id.*

The request to suspend is granted for good cause shown. However, Appellant's request for remand is premature because Appellant has not yet submitted an executed consent agreement. Accordingly, Appellant is allowed 60 days from the mailing date of this order to finalize and file the referenced consent agreement with the Board, failing which the Board will issue an order resuming proceedings, and asking Appellant if it still desires an oral hearing. In view of the foregoing, the oral hearing scheduled for July 29, 2026, is cancelled. The Board will address Appellant's request to remand upon resumption of the appeal.

During the suspension period the Board should be notified of any address or email address changes for Appellant or its attorney.