

**THIS DISPOSITION
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OF THE T.T.A.B.**

**United States Department of Commerce
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3513**

CEW
7/18/00

Cancellation No. 27,343

Wild Pigs Motorcycle
Club

v.

R & R Enterprises

Before Cissel, Hairston and Walters, Administrative
Trademark Judges.

Opinion by Walters, Administrative Trademark Judge:

On April 21, 2000, the Board denied petitioner's motion for summary judgment. However, the Board granted, *sua sponte*, summary judgment in favor of respondent on the basis of *res judicata*, and ordered the petition to cancel dismissed with prejudice on all grounds asserted.¹ On May 18, 2000, petitioner filed a "motion for reconsideration," contending that the Board erred in denying petitioner's summary judgment motion or, alternatively, requesting that the Board allow "this matter [to] proceed with the taking of evidence and ultimate disposition."

¹ The Board also vacated the proceeding as against Wild Pigs, Inc., against which this proceeding had been incorrectly instituted, and denied, as moot, petitioner's motion pertaining to Wild Pigs, Inc.

Petitioner's motion for reconsideration essentially reasserts the arguments set forth in petitioner's motion for summary judgment. For the reasons stated in our decision of April 21, 2000, we stand by our decision denying petitioner's motion for summary judgment and granting summary judgment, *sua sponte*, in favor of respondent on the basis of *res judicata*. Thus, the petition to cancel remains dismissed with prejudice.

R. F. Cissel

P. T. Hairston

C. E. Walters
Administrative Trademark Judges
Trademark Trial and Appeal Board