

**UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451**

Mailed: April 15, 2005

Opposition No. 91115494

TWELVE ISLANDS SHIPPING  
COMPANY LIMITED AND ALLIED  
DOMECQ SPIRIT & WINES USA,  
INC.

v.

TROPICAL CHEESE INDUSTRIES,  
INC.

Cheryl Goodman, Interlocutory Attorney:

On February 22, 2005, the Board issued a show cause order for opposer's failure to file a main brief after the close of testimony. The Board allowed opposer time to show cause why the Board should not treat this failure as a concession of the case.

On March 24, 2005, opposer responded, advising that it had not lost interest in the case and that the parties were in the process of settling the matter. Opposer has requested that proceedings be suspended so the parties can finalize settlement.<sup>1</sup> Applicant has not filed a response.

Inasmuch as opposer has advised that it has not lost interest in the case, the show cause order is discharged.

Opposer's motion to suspend is granted to the extent that proceedings are suspended for purposes of finalizing settlement until SIX months from the mailing date of this order, subject to the right of resumption at any time by either party. At the end of the six month period, if settlement has not been concluded, the Board will resume proceedings and issue an order entering judgment against opposer for its failure to prove its case in view of no testimony being taken or evidence offered during opposer's testimony period.<sup>2</sup> TBMP Section 536 (2d. Ed. Rev. 2004).

Proceedings are suspended as set forth herein.

---

<sup>1</sup> The Board notes that the parties have been attempting to settle this matter and circulating settlement agreements since at least as early as May 2001.

<sup>2</sup> Opposer did not request a reopening of the testimony period nor does the Board see any reason to do so.