

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Hassan/CBG

Mailed: July 11, 2002

Opposition No. 91122421

CHANEL, INC.

v.

TANNER COMPANIES LIMITED
PARTNERSHIP

Cindy B. Greenbaum, Attorney:

In response to the April 5, 2002 Board order to show cause why judgment should not be entered against applicant in accordance with Fed. R. Civ. P. 55(b) for failure to file a timely answer, applicant filed a motion, with opposer's consent, to set aside the default and to suspend the opposition because the parties are in settlement negotiations. As opposer has consented to the motion, and because applicant has established good cause to discharge the order to show cause,¹ the motion is granted. See *Fred Hayman Beverly Hills, Inc. v. Jacques Bernier, Inc.*, 21 USPQ2d 1556 (TTAB 1991).

Because the parties are negotiating for a possible settlement of this case, proceedings herein are suspended until **THREE MONTHS** from the mailing date of this action,

subject to the right of either party to request resumption at any time. See Trademark Rule 2.117(c).

In the event that there is no word from either party concerning the progress of their negotiations within the next six months, the Board will issue an order resuming proceedings and resetting the time for applicant to file an answer.

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.

¹ The record clearly shows that applicant's failure to file a timely answer in this opposition proceeding was neither willful nor unduly prejudicial.