

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

vb/BUTLER

Mailed: June 16, 2011

Opposition No. 91124762  
Cancellation No. 92040092  
(consolidated)

Kapalua Land Company Ltd.

v.

Interfashion Ltd.. B.V.I.  
and DC DESIGNS & CONCEPTS  
GMBH

On May 6, 2011, applicant filed an abandonment of its application Serial No. **76023641** (the subject matter of Opposition No. 91124762), with opposer's written consent.

In view thereof, application Serial No. 76023641 stands abandoned, and **Opposition No. 91124762** is dismissed without prejudice. See Trademark Rule 2.135.

The parties are allowed until **THIRTY DAYS** from the mailing date of this order to inform the Board how they wish to proceed with Cancellation No. 92040092, failing which, the cancellation proceeding remains suspended on the agreed-upon schedule set out below. Thus, plaintiff's consented motion, filed June 3, 2011, to continue suspension is granted. The resumption schedule is copied below:

Opposition No. 91124762 and Cancellation No. 92040092

Proceedings Resume :	08/03/2011
Discovery Period to Close :	CLOSED
Thirty-day testimony period for party in position of plaintiff to close :	10/02/2011
Thirty-day testimony period for party in position of defendant to close :	12/01/2011
Fifteen-day rebuttal testimony period to close :	01/15/2012

In each instance, a copy of the transcript of testimony, together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

***By the Trademark Trial  
and Appeal Board***