

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

dmd

Mailed: December 29, 2003

Opposition No. 91156919

SAVORY CONCEPTS, LLC

v.

Pachanga, LLC

Denise M. DelGizzi, Paralegal Specialist

It has come to the attention of the Board that, due to a clerical error by the Patent and Trademark Office, Trademark Registration No. 2754984 (application Serial No. 76209008), for the mark **PACHANGA FOODS**, was inadvertently issued on August 26, 2003. The registration issued inadvertently after a Notice of Opposition had been timely filed with the Trademark Trial and Appeal Board.

Accordingly, the above-identified application will be forwarded to the Office of the Assistant Commissioner for Trademarks for appropriate action.¹

¹ The Office of the Assistant Commissioner for Trademarks may issue an order cancelling the inadvertently issued registration and restoring the application to pendency, subject to the present opposition proceeding.

The parties are advised, however, that the opposition proceeding will go forward in the usual manner and in accordance with the Trademark Rules of Practice, set forth in Title 37, part 2, of the Code of Federal Regulations.

Furthermore, defendant's motion to extend time to file its answer, filed December 8, 2003, is noted and granted as modified.

Because the parties are negotiating for a possible settlement of this case, proceedings herein are suspended until **six 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 or other response to the notice of opposition.

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