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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91161954
Party	Plaintiff PABST BREWING COMPANY
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Date	01/22/2008
Attachments	Opposer's Response to Order to Show Cause.pdf (2 pages)(20771 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK AND TRIAL APPEAL BOARD

In the Matter of Application:
Serial No.: 75/883,254
Filed: December 29, 1999
Applicant: Lone Star Steakhouse & Saloon, Inc.
Mark: LONE STAR (AND DESIGN)
Classes: 25
Published in the *Official Gazette* on March 23, 2004

PABST BREWING COMPANY,)
Opposer)
)
v.)
) Opposition No. 91161954
LONE STAR STEAKHOUSE & SALOON,) Application Serial No. 75/883,254
INC.,)
Applicant)

OPPOSER’S RESPONSE TO ORDER TO SHOW CAUSE

Pabst Brewing Company (“Opposer” herein) responds to the Order to Show Cause issued on December 18, 2007, as to why dismissal of the opposition should not be granted.

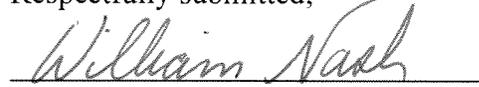
This proceeding was placed in suspension on or about November 13, 2006 at the parties’ request so that an amicable outcome could be negotiated. Since that time, Applicant, Lone Star Steakhouse & Saloon, has changed ownership resulting in lapses in communications. Opposer likewise was involved in restructuring and refinancing which created lapses in communications. In addition, Opposer had mounting international business to deal with which necessitated international travel. Opposer was of the opinion that Applicant was taking time to consider its settlement proposal due to its change in ownership, and was waiting for Applicant’s reply. Opposer was of the opinion that the suspension was ongoing until a settlement was reached, or until either party requested resumption of the proceedings.

The parties have not reached an agreement as yet on the respective parties’ use and sale of product bearing the mark of LONE STAR. Since there has been no final resolution on the use of the

mark, and there remains unresolved issues. Opposer still maintains an interest in resolving this matter amicably. However, should Applicant refuse, Opposer still desires to resolve this matter through this proceeding. Opposer respectfully request that this matter not be dismissed and that Opposer be allowed actively pursue the litigation.

Dated: Jan. 22, 2008

Respectfully submitted,



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CERTIFICATE OF TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being electronically transmitted on 22nd day of January, 2008, shown below addressed to:

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