

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

Mailed: July 6, 2006

Opposition No. 91167758

Austin Nichols & Co., Inc. dba  
Pernod Ricard, U.S.A. Austin  
Nichols & Co., Inc. dba Pernod  
Ricard, U.S.A.

v.

Lodestar Anstalt

Cheryl Goodman, Interlocutory Attorney:

This case now comes up on applicant's motion to suspend, filed April 5, 2006, and opposer's request for remand, filed April 25, 2006.

In support of its motion to suspend, applicant asserts that suspension of this proceeding is appropriate pending decision of the appeal in Opposition No. 91155165; that applicant herein is a related company of the applicant involved in Opposition No. 91155165; that the present opposition and Opposition No. 91155165 involve the same opposer, similar issues, and similar WILD GEESE marks and therefore, suspension is appropriate under Trademark Rule 2.117.

In response, opposer advises that it opposes the motion to suspend and instead, seeks remand to the examining attorney. Opposer maintains that remand of the involved

application to its prior pre-publication suspension status is appropriate, citing to TMEP Section 1504 and arguing that there are procedural and substantive errors that occurred during prosecution of the application that the TTAB should address by remanding to the examining attorney.

Turning first to opposer's request for remand, inasmuch as there is no provision under which such a remand may be made upon motion by a *party* to the proceeding, opposer's request is denied. See TBMP Section 515. (2d ed. rev. 2004).

Turning next to applicant's motion to suspend, the Board may suspend a proceeding pending disposition of another Board proceeding in which the parties are involved or in which one of the parties is involved, if the disposition of the other action will have a bearing on the proceedings before the Board. See TBMP Section 510.02(a).

In this case, the Board finds that inasmuch as disposition of Opposition No. 91155165 may have a bearing on the proceeding, suspension is appropriate.

In view thereof, proceedings herein are suspended pending final disposition of Opposition No. 91155165.

Within twenty days after the final determination of the civil action, the interested party should notify the Board so that this case may be called up for appropriate action.

During the suspension period the Board should be notified of any address changes for the parties or their attorneys.