

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

nmt

Mailed: March 31, 2010

Opposition No. 91176496

Outback/Fleming's LLC

v.

Fleming Corporation of Kansas

Ann Linnehan, Interlocutory Attorney

The parties' stipulated motion (filed February 17, 2010) to suspend proceedings to accommodate their ongoing settlement efforts is granted.¹

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, upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board, upon the schedule set out below.

¹ The parties are reminded of their continued obligation to provide a detailed progress report with all future requests to suspend or extend.

Proceedings resume:	6/23/2010
30-day testimony period for party in position of plaintiff to close:	9/21/2010
30-day testimony period for party in position of defendant to close:	11/20/2010
15-day rebuttal testimony period to close:	1/4/2011

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 Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

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