

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

Mailed: August 19, 2009

Opposition No. 91183753

Heaven Hill Distilleries,  
Inc.

v.

Diallo Yassinn Patrice

**Robert H. Coggins,  
Interlocutory Attorney:**

This case now comes up on opposer's motion (filed March 24, 2009) to extend time; however, for potential scheduling reasons outlined below, determination of the motion is deferred.

It has come to the attention of the Board that the parties to this proceeding are also parties to Opposition No. 91173767. The two opposition proceedings involve virtually identical marks and goods. There is an outstanding Board order in Opposition No. 91173767 requiring opposer therein to state whether, in view of the abandonment of the request for extension of protection which is the subject of that opposition, it wishes to go forward to obtain a determination of that opposition on its merits or to have that opposition

Opposition No. 91183753

dismissed without prejudice as moot. Should opposer wish to continue Opposition No. 91173767, the Board will consider consolidating the two proceedings. See TBMP § 511 (2d ed. rev. 2004); *Regatta Sport Ltd. v. Telux-Pioneer Inc.*, 20 USPQ2d 1154 (TTAB 1991) (Consolidation on Board's own initiative).

In view thereof, proceedings herein are **suspended** pending a response in Opposition No. 91173767 from opposer therein. Accordingly, determination of the outstanding motion to extend time (filed March 24, 2009 in Opposition No. 91183753) is suspended pending a response in Opposition No. 91173767 from opposer therein.