

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

Mailed: June 20, 2013

Opposition Nos. 91195327  
91195328

Hard Candy Cases, LLC

v.

Hard Candy, LLC

**Karl Kochersperger, Paralegal Specialist:**

Opposer's consented motion to suspend and reopen<sup>1</sup> filed June 4, 2013 is granted. Because the parties are negotiating for a possible settlement of this case, proceedings herein are suspended, 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 in opposer's motion.

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.

The Board notes that there have been numerous extensions granted in this proceeding. The parties are advised that to continue to seek further extensions after this period expires, the parties will be expected to make a showing of good cause for any further extensions. This is true even when both parties stipulate to the request. Should either party submit another motion for an extension of time or suspension, said motion must be accompanied by a showing of good cause, which must comprise a detailed status report regarding the progress of the parties' settlement negotiations, including when the last settlement proposal was sent, by whom, and when a response is expected, a recitation of the issues that have been resolved since the commencement of the proceeding, a list of issues that remain to be resolved, and a timetable for resolution. Confidential information may be so designated and will be barred from public viewing.

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<sup>1</sup> Apparently, opposer wishes to reopen the due date for plaintiff's pretrial disclosures as this date closed on May 21, 2013.