

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

MT

Mailed: April 24, 2012

Opposition No. 91203879

Sazerac Company, Inc.

v.

Department 28, Inc

Cheryl S. Goodman, Interlocutory Attorney:

Applicant's motion (filed March 20, 2012) to suspend the proceeding pending final determination of a civil action between the parties is hereby granted as conceded.¹ It is the policy of the Board to suspend proceedings when the parties are involved in a civil action, which may be dispositive of or have a bearing on the Board case. See Trademark Rule 2.117(a).

Accordingly, proceedings are suspended pending final disposition of the civil action between the parties.

Within twenty days after the final determination of the civil action, the parties shall so notify the Board and

¹ It is noted in the Board's order dated March 14, 2012, opposer was allowed 30 days to appoint new counsel, when it should have read applicant was allowed 30 days to appoint new counsel. This error is regretted. Applicant's new counsel filed on March 20, 2012 an appearance for which the Board's records have been updated.

call this case up for any appropriate action. During the suspension period, the parties shall notify the Board of any address changes for the parties or their attorneys.