

**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
**Trademark Trial and Appeal Board**  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Cancellation No. 28142  
Cancellation No. 29614

IOB Realty, Inc.

v.

Patsy's Brand, Inc.

Patsy's Brand, Inc.

v.

IOB Realty, Inc.

Nancy L. Omelko, Interlocutory Attorney:

On September 4, 2002, the Board resumed proceedings that had been suspended pending a decision in a civil action and entered judgment in favor of Patsy's Brand, Inc., by (1) dismissing IOB Realty, Inc.'s petition for cancellation in Cancellation No. 28412 with prejudice, (2) granting Patsy's Brand, Inc.'s petition to cancel in Cancellation No. 29614, and (3) indicating that Registration No. 1,975,110 for the mark PATSY'S for restaurant services would be cancelled in due course. The September 4, 2002 order stands.

WHEREAS Cancellation No. 29614 also involves another registration owned by IOB Realty, Inc., for the mark

PATSY'S PIZZERIA for restaurant services, namely  
Registration No. 2,213,574; and WHEREAS the United States  
District Court for the Southern District of New York has  
enjoined IOB Realty, Inc. from maintaining any registration  
which comprises the word PATSY'S for sauces or other  
packaged food products; and WHEREAS in light of IOB Realty,  
Inc.'s failure to respond to Patsy's Brand, Inc.'s Motion  
for Entry of Judgment, it appears that IOB Realty, Inc. has  
lost interest in this case; ACCORDINGLY, IOB Realty, Inc.  
is allowed **twenty days** from the date of this order to show  
cause why judgment should not be entered against IOB  
Realty, Inc. for cancellation of its other registration  
involved in this consolidated proceeding, namely,  
Registration No. 2,213,574.