

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Ryan

MAILED: July 2, 2004

Cancellation No. 92040463

Kenneth B. Wiesen

v.

Tootsie Roll Industries, Inc.

and

Bonomo Turkish Taffy, LLC

Karyn K. Ryan, Interlocutory Attorney
Trademark Trial and Appeal Board.

On June 4, 2004, Bonomo Turkish Taffy, LLC ("Bonomo") filed a communication regarding a transfer in ownership of the involved registrations, Nos. 0746286 and 0777494. A review of the Bonomo's submission and the records of this Office's Assignment Branch reveals that respondent Tootsie Roll Industries, Inc. ("Tootsie Roll") assigned the involved registrations to Sweeney Candy Co., LLC ("Sweeney") on February 18, 2003 and thereafter, Sweeney changed its name to Bonomo. See Reel/Frame Nos. 2680/0494 and 2837/0098.

In view thereof, and pursuant to Fed. R. Civ. P. 19(a), the Board hereby joins Bonomo Turkish Taffy, LLC as a party defendant in this case. The case caption for this proceeding has been

updated to reflect the joinder herein. See also, TBMP section 512.01 (2d ed., 1st rev., March 2004).

The answer and motion to dismiss filed by respondent Bonomo on June 4, 2004 are duly noted.

Proceedings herein are **suspended** pending disposition of the motion to dismiss. Any paper filed during the pendency of this motion which is not relevant thereto will be given no consideration. See Trademark Rule 2.127(d).

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed in writing. See Trademark Rule 2.18.

The motion pending before the Board will be decided in due course.

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Notice Regarding TTAB Electronic Resources and New Rules

TTAB forms for electronic filing of extensions of time to oppose, notices of opposition, and inter partes filings are now available at <http://estta.uspto.gov>. Images of TTAB proceeding files can be viewed using TTABVue at <http://ttabvue.uspto.gov>.

Parties should also be aware of changes in the rules affecting trademark matters, including rules of practice before the TTAB. See Rules of Practice for Trademark-Related Filings Under the Madrid Protocol Implementation Act, 68 Fed. R. 55,748 (September 26, 2003) (effective November 2, 2003) Reorganization of Correspondence and Other Provisions, 68 Fed. Reg. 48,286 (August 13, 2003) (effective September 12, 2003). Notices concerning the rules changes are available at www.uspto.gov.

The second edition of the Trademark Trial and Appeal Board Manual of Procedure (TBMP) has been posted on the USPTO web site at www.uspto.gov/web/offices/dcom/ttab/tbmp/.