

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

Mailed: March 17, 2005

Cancellation No. 92043783

THE KROGER CO. OF MICHIGAN

v.

Monde Denmark Nissin
Biscuit Corporation

Rochelle Ricks, Paralegal Specialist:

Registrant's consented motion filed December 28, 2004 for a six-month suspension of this proceeding up to and including June 25, 2004 is noted and granted as modified below.

Inasmuch as the parties are negotiating for a possible settlement of this case, proceedings herein are suspended until **June 25, 2005**, 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 below.

Respondent is allowed THIRTY DAYS from resumption in which to file its answer or other response to the petition

to cancel. The parties are allowed the same THIRTY DAYS in which to serve responses to any outstanding discovery requests. Trial dates, including the close of discovery, are reset as follows:

Proceedings resume:	June 25, 2005
Discovery period to close:	September 23, 2005
Thirty-day testimony period for party in position of plaintiff to close:	December 22, 2005
Thirty-day testimony period for party in position of defendant to close:	February 20, 2006
Fifteen-day rebuttal testimony period to close:	April 6, 2006

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.