

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

TLC

Mailed: August 18, 2009

Cancellation No. 92046637

Mattress Firm, Inc.

v.

Living Spaces Furniture, LLC

**Robert H. Coggins,
Interlocutory Attorney:**

On May 21, 2009, when granting respondent's May 8, 2009 motion to suspend, the Board ordered that should the parties file any future motions to extend or suspend, the parties must accompany such motion with a progress report on their settlement negotiations. However, petitioner's consented motion to suspend (filed August 4, 2009) failed to include the required report. Notwithstanding this failure, the Board presumes the parties are actively engaged in bilateral settlement negotiations, and herein grants the motion to suspend. Trademark Rule 2.127(a).

The parties are reminded that any future motion to extend or suspend -whether consented or not- must include a

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progress report on the parties' settlement negotiations, failing which the motion will not be granted.

In the event that there is no word from either party concerning the progress of their negotiations, upon conclusion of the suspension period on October 4, 2009, proceedings shall resume without further notice or order from the Board, on the schedule set forth in the August 4, 2009 motion.