

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

Baxley

Mailed: July 30, 2007

Cancellation No. 92047488

A.L. Bazzini Co., Inc.

v.

Lidl Stiftung & Co. KG

**Andrew P. Baxley, Interlocutory Attorney:**

The Board notes respondent's consented motion (filed July 26, 2007) to extend its time to file an answer. Such motion marks the fifth consented motion to extend time to file an answer that respondent has filed since the Board instituted this proceeding on May 10, 2007.

The five extensions sought by respondent through its motions range from one to two weeks. Repeatedly moving for such brief extensions is wasteful of both the parties' and the Board's resources. Accordingly, proceedings herein are suspended until October 28, 2007, subject to either party's right to request resumption at any time. See Trademark Rule 2.117(c).

If there is no word from either party concerning the progress of their negotiations by October 28, 2007, proceedings herein will resume automatically without further action by the Board on October 29, 2007. Respondent will be

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allowed until November 28, 2007 to file an answer. The parties will be allowed until November 28, 2007 to serve responses to any written discovery requests. Discovery and testimony periods will be reset as follows.

**DISCOVERY PERIOD TO CLOSE: 2/26/08**

**Plaintiff's 30-day testimony period to close: 5/26/08**

**Defendant's 30-day testimony period to close: 7/25/08**

**Plaintiff's 15-day rebuttal testimony period to close: 9/8/08**

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.