

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

2009

Mailed: July 2,

Cancellation No. 92048989

Top Tobacco, LP

v.

Van Nelle Tabak Nederland BV

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

Petitioner's consented motion (filed June 30, 2009) to extend its time to file a brief in opposition to respondent's motion to compel is granted.<sup>1</sup> Trademark Rule 2.127(a). Accordingly, petitioner's brief is due August 14, 2008.

Proceedings remain suspended pending disposition of the parties' motions to compel. Those motions will be taken up in due course. The parties should not file any paper which is not germane to the motions to compel. See Trademark Rule 2.120(e)(2).

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<sup>1</sup> It is noted that the parties are engaged in settlement discussions. The Board is liberal in granting reasonable extensions or suspension of dates when parties are engaged in serious bilateral settlement discussions. See *Old Nutfield Brewing Co. v. Hudson Valley Brewing Co.*, 65 USPQ2d 1701, 1703 (TTAB 2002).