

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

Mailed: September 23, 2009

Cancellation No. 92050401

Simply Sushi, LLC

v.

John Moriarty

Veronica P. White, Paralegal Specialist:

Registrant's consented motion (filed September 16, 2009) to extend time to file its answer to the petition to cancel and to extend conferencing, disclosure, discovery and trial dates is granted.

In view of the parties' settlement negotiations, as indicated in the consented motion to extend, the Board finds it appropriate to suspend proceedings. Accordingly, proceedings herein are suspended until **December 23, 2009**, 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,

Cancellation No. 92050401

upon the schedule set out below.

Registrant is allowed **THIRTY DAYS** from resumption in which to answer the petition to cancel. Conferencing, disclosure, discovery and trial dates are reset as follows:

Proceedings Resume	12/24/2009
Time to Answer	1/23/2010
Deadline for Discovery Conference	2/22/2010
Discovery Opens	2/22/2010
Initial Disclosures Due	3/24/2010
Expert Disclosures Due	7/22/2010
Discovery Closes	8/21/2010
Plaintiff's Pretrial Disclosures	10/5/2010
Plaintiff's 30-day Trial Period Ends	11/19/2010
Defendant's Pretrial Disclosures	12/4/2010
Defendant's 30-day Trial Period Ends	1/18/2011
Plaintiff's Rebuttal Disclosures	2/2/2011
Plaintiff's 15-day Rebuttal Period Ends	3/4/2011

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.