

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**Trademark Trial and Appeal Board**  
**P.O. Box 1451**  
**Alexandria, VA 22313-1451**  
General Contact Number: 571-272-8500

Mailed: November 28, 2014

Cancellation No. 92056552

ActiMuse, LLC

v.

Addiction NV, LLC

Cheryl S. Goodman, Administrative Trademark Judge:

On May 19, 2014, the Board issued an order to show cause for petitioner's failure to file a brief in this case.

Petitioner responded indicating it had not lost interest and the parties were interested in settling the matter.<sup>1</sup>

The Board, in its order of August 19, 2014, allowed the parties sixty days in which to conclude settlement. On October 20, 2014, Petitioner advised that it was unable to conclude settlement and requested 1) that the Board issue an order to show cause against respondent for loss of interest or 2) allow petitioner to dismiss this cancellation proceeding and refile a new petition to cancel on a claim of abandonment 3) allow petitioner to amend its

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<sup>1</sup> To the extent the Board has not already indicated, the show cause order is discharged.

petition to cancel to add a claim of abandonment and reopen the case for discovery and trial on the new cause of action of abandonment.

Petitioner's alternative motion for leave to amend its petition to cancel to allege a claim of abandonment and to reopen discovery and trial dates in this proceeding is granted as conceded. Trademark Rule 2.127(a). Petitioner's requests for an order to show cause and to dismiss the petition to cancel and refile are moot.

Petitioner is allowed until TWENTY DAYS from the mailing date of this order to file and serve an amended petition to cancel with respect to abandonment, at which time, dates will be reset.