

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

Baxley

Mailed: January 30, 2006

Concurrent Use No. 94002083

El Viajero Cheese Company,
Inc.

v.

Marquez Brothers
International, Inc.

By the Trademark Trial and Appeal Board:

Excepted user Marquez Brothers International, Inc's motion to dismiss under Trademark Rule 2.132(a) for failure to prosecute is hereby granted as conceded. See Trademark Rule 2.127(a).

Accordingly, judgment is hereby entered against concurrent use applicant El Viajero Cheese Company, Inc., and registration to applicant is refused.

Concurrent Use No. 94002083