

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

JST



Concurrent Use No. 1171

Woodstock Enterprises,
Inc. (California)

v.

Woodstock Enterprises,
Inc. (Oregon)

MAILED

NOV 15 2000

PAT. & T.M. OFFICE

Before Seeherman, Quinn and Hohein,
Administrative Trademark Judges.

By the Board:

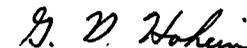
The parties have submitted a settlement agreement establishing that they plan to restrict their use of their respective marks to a mutually exclusive geographic division of the United States and to take appropriate steps to avoid creating confusion among consumers. By virtue of the parties' agreement, defendant has agreed to territorial restriction of its registration and agreed that applicant is entitled to the geographically restricted concurrent use registrations it seeks. Accordingly, defendant's involved registration will be restricted as set out below and applicant is adjudged entitled to the registration it seeks, also as set out below.

Defendant's registration no. 1,614,417 for the mark WOODSTOCK PIZZA PARLOR and design for "restaurant services" in class 42 is ordered restricted to the territory comprising "the entire United States except the state of California."

Plaintiff shall be granted a registration based on its application serial no. 74/322,413 for WOODSTOCK'S for "restaurant services" in class 42, the registration being restricted to the territory comprising "the state of California."¹


E. J. Seeherman


T. J. Quinn


G. D. Hohein

Administrative Trademark
Judges, Trademark Trial
and Appeal Board

¹ Consequently, applicant's motion (filed August 21, 2000) to extend will be given no further consideration.