

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

Baxley

Mailed: June 18, 2012

Concurrent Use No. 94002525

Boi Na Braza, Inc.

v.

Terra Sul Corporation A/K/A
Churrascaria Boi Na Brasa

Andrew P. Baxley, Interlocutory Attorney:

On June 6, 2012, concurrent use applicant filed a motion to amend the concurrent use statement of involved concurrent use application Serial No. 77779339 to add the State of New York to the specified excluded territory and to suspend proceedings for thirty days for settlement negotiations. The motion was filed without excepted concurrent user's consent.

Excepted concurrent user is allowed until July 5, 2012 to file a submission stating whether or not it consents to the proposed amendment, failing which consideration of the proposed amendment will be deferred until final decision, in keeping with Board practice. See TBMP Section 514.03 (3d ed. 2011). Proceedings herein are otherwise suspended.¹

¹ Applicant's motion to suspend is moot.

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If there is no word from the parties on the status the proposed amendment by July 5, 2012, proceedings will resume on July 6, 2012 under the following schedule.

Concurrent Use Applicant's 30-day Trial Period Ends	8/20/12
Excepted Concurrent User's Pretrial Disclosures Due	9/4/12
Excepted Concurrent User's 30-day Trial Period Ends	10/19/12
Concurrent Use Applicant's Rebuttal Disclosures Due	11/3/12
Concurrent Use Applicant's 15-day Rebuttal Period Ends	12/3/12

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 Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

If either of the parties or their attorneys should have a change of address, the Board should be so informed promptly.

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