

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

Baxley

Mailed: October 13, 2006

Opposition No. 91151531

Tommy Hilfiger Licensing, Inc.

v.

Tomy Company, Ltd.

Andrew P. Baxley, Interlocutory Attorney:

On September 30, 2006, applicant filed a consented motion to continue suspension of this proceeding for settlement negotiations.¹

This proceeding has been suspended for settlement negotiations for nearly four years. In addition, parties were told in a November 29, 2004 order in this proceeding that any further motions to extend or suspend this case must set forth a report to the Board on the progress of discovery, or of any ongoing settlement negotiations which includes a recitation of discovery taken to date, a statement of issues that have been resolved and issues that remain to be resolved, and a firm timetable for resolution. The November 29, 2004 order further indicates that, absent such a report, any future motion to extend or suspend may not be approved.

¹ The Board's order dated October 11, 2006 is vacated.

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The September 30, 2006 motion merely indicates that the parties are involved in ongoing negotiations regarding use and registration of the involved mark in many countries. As such, the Board finds that the September 30, 2006 motion falls well short of a report that complies with the November 29, 2004 order.

Accordingly, the parties are allowed until forty days from the mailing date of this order to submit a report on the progress of their ongoing settlement negotiations which complies with the November 29, 2004 order, failing which proceedings will be resumed and appropriate dates will be reset.