

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

RK/nmt

Mailed: May 10, 2011

Opposition No. 91178682

Franciscan Vineyards, Inc.

v.

Domaines Pinnacle, Inc.

Yong Oh (Richard) Kim, Interlocutory Attorney:

On April 4, 2011, opposer was allowed thirty days to show cause as to why its failure to file a brief should not be seen as a concession of this case.

On May 4, 2011, opposer filed a response noting that the parties "are concurrently involved in a related opposition before the Canadian Trademark Office and are working on a settlement agreement concerning both the United States and Canada" and that the parties "appear to have reached agreement on certain primary terms of settlement and require additional time." To that end, opposer, with applicant's consent, seeks a three-month suspension of proceedings as well as a reopening of trial dates.

Since it is apparent from opposer's response that it has not lost interest in this case and since applicant consents

thereto, the show cause order is hereby **DISCHARGED** and opposer's motion for a three month suspension and reopening of trial dates is **GRANTED**. Proceedings herein are **SUSPENDED until August 7, 2011**, subject to the right of either party to request resumption at any time. See Trademark Rule 2.117(c).

In the event that there is no word from either party concerning the progress of their negotiations, upon conclusion of the suspension period, **proceedings shall resume without further notice or order from the Board, upon the schedule set out below:**

30-day testimony period for plaintiff to close	9/6/2011
30-day testimony period for defendant to close	11/5/2011
15-day rebuttal period for plaintiff to close:	12/20/2011

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

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

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