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

Mailed: January 3, 2011

Opposition No. 91190005

Luster Products, Inc.

v.

Peachy Pink, Inc.

Veronica P. White, Paralegal Specialist:

It is noted by the Board that opposer's time for filing a brief on the case has expired, and no brief has been filed. Trademark Rule 2.128(a)(3) provides that when a party in the position of plaintiff fails to file a main brief, an order may be issued allowing plaintiff until a set time, not less than fifteen days, in which to show cause why the Board should not treat such failure as a concession of the case. The rule further provides that if plaintiff fails to file a response to the order, or files a response indicating that it has lost interest in the case, judgment may be entered against plaintiff.

In view of the above, opposer is allowed until **thirty days** from the mailing date of this order to show cause why the Board should not treat its failure to file a brief as a

concession of the case, failing which a judgment dismissing the notice of opposition with prejudice will be entered against opposer.

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