

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

nmt

Mailed: January 6, 2011

Opposition No. 91196784

Miss Elaine, Inc.

v.

LF USA Inc.

Yong Oh (Richard) Kim, Interlocutory Attorney:

Opposer's consented motion (filed December 10, 2010) to suspend proceedings for settlement negotiations is noted. The motion was filed after the filing of applicant's answer and prior to the deadline for the parties' discovery conference but it does not indicate that the parties have held their mandatory discovery conference.

The Board generally does not grant motions to suspend for settlement negotiations that are filed between the filing of an answer and the deadline for the discovery conference "precisely because the discovery conference itself provides an opportunity to discuss settlement."

Miscellaneous Changes to Trademark Trial and Appeal Board Rules, 72 Fed. Reg. 42242, 42245 (Aug. 1, 2007). Opposer

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has not shown that varying from the Board's general practice is warranted in this case.

Accordingly, the motion to suspend is **DENIED**. Dates remain as set in the Board's institution order of October 5, 2010. See Trademark Rule 2.120(a)(2). The parties are free to renew the motion after the discovery conference is conducted.

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