

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

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Mailed: August 30, 2012

Cancellation No. 92041710

Gustafson, LLC

v.

Circle One International,
Inc. and Smart World
Organics Inc.

Cancellation No. 92043663

Circle One International,
Inc. and Smart World
Organics Inc.

v.

Gustafson, LLC

**M. Catherine Faint,
Interlocutory Attorney:**

It is noted by the Board that both parties' time for filing briefs on the case has expired, and no briefs have been filed.¹ 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 15 days, in which to show cause why the Board should

¹ Each of the parties appears as plaintiff in the respective cancellations.

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, each party in its position as petitioner 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 respective case, failing which a judgment dismissing the petition for cancellation with prejudice will be entered against the respective petitioners.
