

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

cv

Mailed: February 5, 2010

Cancellation No. 92050143

Browhaus Pte Ltd

v.

Brauhaus Incorporated

**Elizabeth A. Dunn, Attorney (571-272-4267):**

Proceedings herein are suspended pending disposition of respondent's motion (filed December 21, 2009) to dismiss the amended petition to cancel. Any paper filed during the pendency of this motion which is not relevant thereto will be given no consideration. See Trademark Rule 2.127(d).

On January 11, 2010, the Board automatically approved the parties' ESTTA stipulation to suspend respondent's time to answer pending settlement negotiations between the parties. Since respondent filed a motion to dismiss in lieu of an answer, and petitioner's response to the motion to dismiss was due January 11, 2010, the Board will construe the ESTTA filing as a consented motion to extend petitioner's time to respond to the motion to dismiss. The consented motion is granted, and petitioner's response is due February 10, 2010.

The parties are ordered to refrain from use of the ESTTA forms while the motion to dismiss remains pending. Any further consented extensions to petitioner's time to respond to the motion must be filed as an attachment in ESTTA or by non-ESSTA means. Please note that the time for filing a reply brief on a motion will not be extended. Trademark Rule 2.127(a).

In the event that the Board resumes proceedings and resets dates, the parties may resume use of ESTTA for consented changes to the schedule.

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