

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

Mailed: March 15, 2017

Opposition No. 92062439

*Quikfoods, Inc.*

*v.*

*Quickafe USA, Inc.*

**Rochelle Adams, Paralegal Specialist:**

The time for Quikfoods, Inc. to file a brief on the case has expired, and no brief on the case is of record.

Trademark Rule 2.128(a)(3) provides

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. If plaintiff fails to file a response to the order, or files a response indicating that plaintiff has lost interest in the case, judgment may be entered against plaintiff. If a plaintiff files a response to the order showing good cause, but does not have any evidence of record and does not move to reopen its testimony period and make a showing of excusable neglect sufficient to support such reopening, judgment may be entered against plaintiff for failure to take testimony or submit any other evidence.

In view of the failure to file a brief, Opposer is allowed until thirty days from the mailing date of this order to show cause why the Board should not treat the 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. *See* TBMP §§ 536 and 801.02(a).

Cancellation No. 92062439

Proceedings are otherwise suspended.