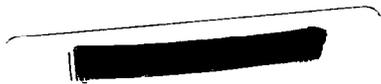


TAB

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513



EAD

11-24-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #74

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**PAT. & T.M. OFFICE**

**Opposition No. 117,873**

eOffice Corporation

v.

eOfficesuites, Inc.

**Cancellation No. 30,698**

eOfficesuites, Inc.

v.

eOffice Corporation

The Board order of August 17, 2001 noted that opposer pleaded Registration No. 2,063,815 in its notice of opposition to application Serial No. 75-662468 (Opposition No. 117,873); that applicant/petitioner's petition to cancel Registration No. 2,063,815, although the basis for a separate proceeding (Cancellation No. 30,698), was essentially a counterclaim in the opposition; and ordered Opposition No. 117,873 and Cancellation No. 30,698 to be consolidated.

It has come to the Board's attention that its August 17, 2001 order contained a trial schedule which was inappropriate for a proceeding involving a counterclaim.

2

**Opposition No. 117,873 and Cancellation No. 30, 698**

Accordingly, the Board's August 17, 2001 order is vacated with respect to the trial schedule.

Trial dates are reset as follows:

**DISCOVERY**

**CLOSED**

Testimony period for eOffice Corporation as plaintiff in the opposition to close: (opening thirty days prior thereto) **April 15, 2002**

Testimony period for eOfficesuites, Inc. as defendant in the opposition And as plaintiff in the counterclaim to close: (opening thirty days prior thereto) **June 14, 2002**

Testimony period for eOffice Corporation as defendant in the counterclaim and its rebuttal testimony as plaintiff in the opposition to close: (opening thirty days prior thereto) **August 13, 2002**

Rebuttal testimony period for eOfficesuites, Inc. as plaintiff in the counterclaim to close: (opening fifteen days prior thereto) **September 27, 2002**

**Briefs shall be due as follows:  
[See Trademark rule 2.128(a)(2)].**

Brief for plaintiff in the opposition shall be due: **November 26, 2002**

Brief for defendant in the opposition and as plaintiff in the counterclaim shall be due: **December 26, 2002**

Brief for defendant in the Counterclaim and its reply brief (if any) as plaintiff in the opposition shall be due: **January 25, 2003**

Reply brief (if any) for plaintiff in the counterclaim shall be due: **February 9, 2003**

Opposition No. 117,873 and Cancellation No. 30, 698

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.



Elizabeth A. Dunn  
Attorney,  
Trademark Trial and Appeal Board  
(703) 308-9330 x 174

**United States Patent and Trademark Office**

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2900 Crystal Drive

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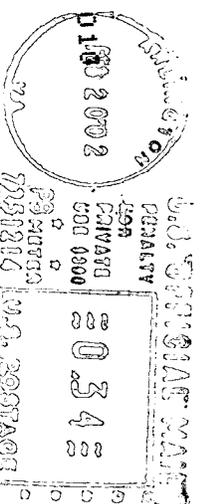
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