

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

DUNN

Mailed: December 8, 2004

Opposition No. 91125727

POWER MEASUREMENT, INC. AND
POWER MEASUREMENT LTD

v.

SILICON ENERGY CORP.

Elizabeth A. Dunn, Attorney:

The suspension period having expired with no word from either party concerning the status of their negotiations, it is concluded that efforts to reach an amicable settlement in this case have been unsuccessful.

Accordingly, proceedings herein are resumed. Insofar as proceedings have been suspended since April 30, 2003, no motion to suspend or to extend on the basis of settlement discussions will be considered absent a progress report on the status of settlement discussions, including the date the last offer was made.

Applicant's power of attorney, filed May 14, 2004, does not indicate proof of service of a copy of same on counsel for opposer as required by Trademark Rule 2.119. Applicant is allowed until ten days from the mailing date on this

order to so serve opposer's attorney. Strict compliance with Trademark Rule 2.119 is required in all further papers filed with the Board.

Discovery and trial dates are reset as follows:

DISCOVERY to close	February 1, 2005
30-day testimony period for party in position of plaintiff to close:	May 2, 2005
30-day testimony period for party in position of defendant to close:	July 11, 2005
15-day rebuttal testimony period for	August 15, 2005

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.

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E-Government Initiatives at the Trademark Trial and Appeal Board:

TTAB forms for electronic filing are now available at <http://estta.uspto.gov>.

Images of TTAB proceeding files can be viewed using TTABVUE at <http://ttabvue.uspto.gov>.

Changes:

Parties should also be aware of changes in the rules affecting trademark matters, including rules of practice before the TTAB. See Rules of Practice for Trademark-Related Filings

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Under the Madrid Protocol Implementation Act, 68 Fed. R. 55,748
(September 26, 2003) (effective November 2, 2003) Reorganization
of Correspondence and Other Provisions, 68 Fed. Reg. 48,286
(August 13, 2003) (effective September 12, 2003). Notices
concerning the rules changes are available at www.uspto.gov.