

United States Patent and Trademark Office
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: October 28, 2004

Opposition No. 91157113

Big O Tires, Inc

v.

Sunrise Incorporated

Vionette Baez, Paralegal Specialist:

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 and trial dates, including the close of discovery, are reset as follows:

THE PERIOD FOR DISCOVERY TO CLOSE:	January 26, 2005
30-day testimony period for party in position of plaintiff to close:	April 26, 2005
30-day testimony period for party in position of defendant to close:	June 25, 2005
15-day rebuttal testimony period to close:	August 9, 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.