

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

SMT

Mailed: January 24, 2005

Opposition No. 91162780

GOLD SHELLS, INC.

v.

Cangiarella, Keith

Sandra Thompson, Legal Assistant

On **December 15, 2004**, applicant filed an answer to the opposition and a counterclaim to cancel opposer's pleaded registration(s). Applicant filed the proper fee.

Opposer and counterclaim defendant, **Gold Shells, Inc.**, is allowed until **THIRTY DAYS** from the mailing date of this order to file an answer to the counterclaim. See Trademark Rules 2.106(b)(2)(iii) and 2.121(b)(2).

In accordance with the Trademark Rules of Practice, discovery is open, and the close of discovery and testimony dates are set as indicated below. 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.

THE PERIOD FOR DISCOVERY TO CLOSE: November 28, 2004

30-day testimony period for party
in position of plaintiff in the
opposition to close: **February 26, 2005**

30-day testimony period for party
in position of defendant in
the opposition and plaintiff in
the counterclaim to close: **April 27, 2005**

30-day rebuttal testimony period
for plaintiff in the opposition and
defendant in the counterclaim
to close: **June 26, 2005**

15-day rebuttal testimony period for
plaintiff in the counterclaim to
close: **August 10, 2005**

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

Brief for plaintiff in the
opposition shall be due: **October 9, 2005**

Brief for defendant in the
opposition and plaintiff in
the counterclaim shall be due: **November 8, 2005**

Brief for defendant in the
counterclaim and reply brief,
if any, for plaintiff in the
opposition shall be due: **December 8, 2005**

Reply brief, if any, for
plaintiff in the counterclaim
shall be due: **December 23, 2005**

If the parties stipulate to any extension of these dates, the

papers should be filed in triplicate and should set forth the dates in the format shown in this order. See Trademark Rule 2.121(d).

An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.