

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

Mailed: August 18, 2005

Opposition No. 91163999

Sybaritic, Inc.

v.

Thomas P. Muchisky

Thomas W. Wellington
Interlocutory Attorney,
Trademark Trial and Appeal Board:

On June 29, 2005, opposer filed an amended notice of opposition.

On July 27, 2005, applicant filed its answer to the amended notice of opposition.

The pleadings, as amended, are noted and entered.

Accordingly, proceedings herein are resumed and trial dates, including the close of discovery, are reset as follows:

THE PERIOD FOR DISCOVERY TO CLOSE: October 25, 2005

30-day testimony period for party
in position of plaintiff to close: January 23, 2006

30-day testimony period for party
in position of defendant to close: March 24, 2006

15-day rebuttal testimony period to close: May 8, 2006

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.