

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

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Mailed: February 1, 2008

Opposition No. 91165451

NEW BALANCE ATHLETIC SHOE,  
INC.

v.

S.A.S.C.O. TRADING, INC.

**Cheryl Butler, Attorney, Trademark Trial and Appeal Board:**

On June 1, 2005, New Balance Athletic Shoe, Inc. filed a notice of opposition to the mark shown in application Serial No. 76575509. On June 6, 2005 the opposition proceeding was instituted. In its notice of opposition, opposer authorized the debit of fees from its deposit account. Inadvertently, such fees have not yet been debited. Accordingly, the Board informs opposer that the fees will not be debited.

Discovery is closed. Trial dates, as requested by the parties in the November 16, 2007 extension request, granted by order of the Board dated December 14, 2007, are repeated below:

|  |                   |
|--|-------------------|
| THE PERIOD FOR DISCOVERY TO CLOSE:                                   | CLOSED            |
| 30-day testimony period for party in position of plaintiff to close  | February 15, 2008 |
| 30-day testimony period for party in position of defendant to close: | April 14, 2008    |
| 15-day rebuttal testimony period to close:                           | May 29, 2008      |

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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 Rules 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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**NEWS FROM THE TTAB:**

The USPTO published a notice of final rulemaking in the Federal Register on August 1, 2007, at 72 F.R. 42242. By this notice, various rules governing Trademark Trial and Appeal Board inter partes proceedings are amended. Certain amendments have an effective date of August 31, 2007, while most have an effective date of November 1, 2007. For further information, the parties are referred to a reprint of the final rule and a chart summarizing the affected rules, their changes, and effective dates, both viewable on the USPTO website via these web addresses:

<http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf>  
[http://www.uspto.gov/web/offices/com/sol/notices/72fr42242\\_FinalRuleChart.pdf](http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf)

By one rule change effective August 31, 2007, the Board's standard protective order is made applicable to all TTAB inter partes cases, whether already pending or commenced on or after that date. However, as explained in the final rule and chart, this change will not affect any case in which any protective order has already been approved or imposed by the Board. Further, as explained in the final rule, parties are free to agree to a substitute protective order or to supplement or amend the standard order even after August 31, 2007, subject to Board approval. The standard protective order can be viewed using the following web address:

<http://www.uspto.gov/web/offices/dcom/ttab/tbmp/stndagmnt.htm>