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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91165519
Party	Plaintiff Corporacion Habanos, S.A. Corporacion Habanos, S.A. Corporacion Habanos, S.A. Avenida 3ra, #2006, e/20 y 22Miramar Havana, CUBA
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEALS BOARD**

CORPORACION HABANOS, S.A.,	)	
	)	
Opposer,	)	Opposition No. 91165519
	)	
v.	)	
	)	
ANNCAS, INC.,	)	
	)	
Applicant.	)	
	)	

**NOTICE OF COMPLETION OF TESTIMONIAL DEPOSITIONS UPON  
WRITTEN QUESTIONS OF FOREIGN WITNESSES AND REQUEST TO RESET  
TRIAL SCHEDULE**

Opposer Corporacion Habanos, S.A. (“Opposer”) hereby notifies the Trademark Trial and Appeal Board (“TTAB”) that the Testimonial Deposition Upon Written Questions Of Opposer’s Foreign Witnesses was concluded on May 15, 2007, in Mexico City, Mexico. The transcripts of those depositions have not yet been provided, but they are expected within one to two weeks of today’s date.

Opposer’s 30-day testimony period was originally set to close on January 15, 2007; Applicant’s testimony period was originally set to close on March 16, 2007; Opposer’s rebuttal period was originally set to close on April 30, 2007. By Order dated March 30, 2007, the TTAB granted the parties’ stipulation of January 9, 2007, to extend the time for the taking of depositions upon written questions of foreign witnesses, but otherwise stated, “Trial dates remain as reset in the Board’s order of November 29, 2006,” although the main testimonial periods for both parties had already passed, and contrary, in the parties’ views, to the mandatory language of 37 CFR § 2.124(d)(2) (emphasis added), which provides:

Upon receipt of written notice that one or more testimonial depositions are to be taken upon written questions, the Trademark Trial and Appeal Board **shall** suspend or reschedule other proceedings in the matter to allow for the **orderly completion** of the depositions upon written questions.

*See also* TBMP § 703.02(c).

On April 10, 2007, and pursuant to 37 CFR § 2.124(d)(2) and TBMP § 703.02(c), the parties filed a JOINT MOTION AND STIPULATION TO RESET TRIAL TESTIMONY PERIODS FOLLOWING OPPOSER'S FILING NOTICES OF DEPOSITIONS UPON WRITTEN QUESTIONS, which motion remains pending.

WHEREFORE, now that the depositions upon written questions have been held, and pursuant to the Joint Motion and 37 CFR § 2.124(d)(2) and TBMP § 703.02(c), Opposer respectfully requests that the TTAB reset the Trial Schedule, including resetting both parties' 30-day testimony periods and Opposer's 15-day rebuttal period.

Dated: New York, New York  
May 29, 2007

Respectfully submitted,

/David B. Goldstein/  
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*Attorneys for Opposer Corporation Habanos, S.A.*

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was emailed to and was served on Applicant by mailing, postage prepaid, said copy on May 29, 2007 via U.S. Mail to:

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