

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

Mailed: July 24, 2006

Opposition No. 91169178

AB Melka

v.

Poyzer, Michael James

**Vionette Baez, Paralegal Specialist**

On March 27, 2006, applicant filed an amended answer to the opposition and a counterclaim to cancel opposer's pleaded registration(s). Applicant filed the proper fee.

Opposer and counterclaim defendant, AB Melka, 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:** September 3, 2006

30-day testimony period for party  
in position of plaintiff in the  
opposition to close: December 2, 2006

30-day testimony period for party  
in position of defendant in  
the opposition and plaintiff in  
the counterclaim to close: January 31, 2007

30-day rebuttal testimony period  
for plaintiff in the opposition and  
defendant in the counterclaim  
to close: April 1, 2007

15-day rebuttal testimony period for  
plaintiff in the counterclaim to  
close: May 16, 2007

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

Brief for plaintiff in the  
opposition shall be due: July 15, 2007

Brief for defendant in the  
opposition and plaintiff in  
the counterclaim shall be due: August 14, 2007

Brief for defendant in the  
counterclaim and reply brief,  
if any, for plaintiff in the  
opposition shall be due: September 13, 2007

Reply brief, if any, for  
plaintiff in the counterclaim  
shall be due: September 27, 2007

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.