

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

Baxley

Mailed: October 17, 2007

Opposition No. 91169231

Barbara J. Schell M.D. PLLC

v.

Graham D. Simpson

**Andrew P. Baxley, Interlocutory Attorney:**

On October 13, 2007, opposer filed a consented motion to extend time in which to serve discovery responses and a consented motion to extend testimony periods. Those motions are rendered moot by the following.

In the last year, the parties have sought and received numerous extensions based on settlement negotiations. In view of such settlement negotiations, proceedings herein are suspended until April 13, 2008, subject to either party's right to request resumption at any time. See Trademark Rule 2.117(c).

If there is no word from either party concerning the progress of their negotiations by April 13, 2008, proceedings herein will resume automatically on April 14, 2008. The parties will be allowed until May 14, 2008 to serve responses to any outstanding written discovery requests. Testimony periods will be reset as follows.

Plaintiff's 30-day testimony period to close:

**July 14, 2008**

Defendant's 30-day testimony period to close:

**September 12, 2008**

Plaintiff's 15-day rebuttal testimony period to close:

**October 27, 2008**

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.

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.