

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

Baxley

Mailed: April 20, 2006

Opposition No. **91169856**

SmithKline Beecham PLC

v.

Bio Therapeutics, Inc.

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

The Board's the notice instituting this proceeding contained several errors in opposer's correspondence address in this proceeding. The errors are regretted.

Accordingly, the institution notice is remailed to opposer at the correct address: Una L. Lauricia, Pearne & Gordon, LLP, 1801 East 9th Street, Suite 1200, Cleveland, OH 44114.

In view of the circumstances herein, the time for filing an answer to the notice of opposition is extended to thirty days from the mailing date of this order. Any discovery requests or notices served that remain unanswered as of the mailing date of this order must be reserved in accordance with the rules, unless otherwise agreed to by the parties.

In accordance with the Trademark Rules of Practice, discovery is open, and the close of discovery and testimony dates are set as indicated below.

DISCOVERY PERIOD TO CLOSE: **10/9/06**

Plaintiff's 30-day testimony period to close: **1/7/07**

Defendant's 30-day testimony period to close: **3/8/07**

Plaintiff's 15-day rebuttal testimony period to close: **4/22/07**

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 1.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.