

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

Mailed: September 12, 2007

Opposition No. 91173378

Dreamwell, Ltd.

v.

FKA Distributing Co. d/b/a  
Homedics, Inc.

**Robert H. Coggins,  
Interlocutory Attorney:**

Opposer's consented motion (filed September 5, 2007)  
to reopen and reset its testimony period is granted.  
Trademark Rules 2.121(a)(1) and 2.127(a). Accordingly,  
testimony periods are reset in accordance with opposer's  
consented motion.<sup>1</sup>

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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

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<sup>1</sup> It is noted that applicant filed discovery responses with the  
Board on June 7, 2007. Discovery responses should not be filed  
with the Board except when submitted pursuant to the purposes in  
Trademark Rule 2.120(j)(8) which do not apply here. Accordingly,  
the June 7, 2007 filing will be given no consideration.

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>

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