

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

Mailed: December 18, 2007

Opposition No. 91177234

Opposition No. 91177365

Opposition No. 91177366

Opposition No. 91177367

Cancellation No. 92048172

CARDINAL HEALTH 303, INC.

v.

THE ALARIS GROUP, INC.

Cheryl Butler, Attorney, Trademark Trial and Appeal Board:

Plaintiff's consented motion, filed November 7, 2007, for leave to file a combined amended notice(s) of opposition and petition to cancel is granted. See Fed. R. Civ. P. 15(a); and TBMP §507.02 (2d ed. rev. 2004). Plaintiff informs the Board that its amended pleading includes allegations concerning an additional registration as a basis for plaintiff's cause of action and deletes the claims comprising Count Two of the notices of opposition.

Applicant's answer, filed November 27, 2007, to the amended complaint is noted and entered.

Discovery and trial dates remain as previously set, copied below:

Discovery period to close: 4/12/2008
30-day testimony period for party
in position of plaintiff to close: 7/11/2008
30-day testimony period for party
in position of defendant to close: 9/9/2008
15-day rebuttal testimony period
for plaintiff to close: 10/24/2008

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 Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

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