

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

Mailed: May 14, 2009

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:

The parties' stipulation with respect to evidentiary submissions, filed April 29, 2009, is granted. Trial dates are those set by plaintiff's consented motion, filed on April 29, 2009 and granted by order of the Board on the same day. Such dates are copied below:

| | |
|---|------------|
| Discovery Period to Close : | CLOSED |
| Thirty-day testimony period for party in position of plaintiff to close : | 06/09/2009 |
| Thirty-day testimony period for party in position of defendant to close : | 08/08/2009 |
| Fifteen-day rebuttal testimony period to close : | 09/22/2009 |

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.

Opposition Nos. 91177234; 91174365; 91177366; 91177367; and
Cancellation No. 92048172

Briefs shall be filed in accordance with Rule 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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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
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_FinalR
uleChart.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>