

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

Tdc

Mailed: April 27, 2010

Opposition No. 91194024

Golding Farms Foods, Inc.

v.

Raymond Jaquez

Tyrone Craven, Paralegal Specialist:

On April 19, 2010, applicant filed an answer to the opposition and a counterclaim for a Section 18 restriction with respect to opposer's multiclass (Classes 29, 30 and 32) pleaded Registration No. 2073197. Applicant filed a fee of \$300 which is insufficient to seek cancellation (by way of restriction) of all classes of Registration No. 2073197. Additionally, applicant did not specifically set forth the class(es) to which it sought the restriction to apply. Applicant is referred to Trademark Rule 2.111 regarding the application of fees with respect to an involved multiclass registration. Therefore, the fee submitted by applicant has been applied against International Class 29 of Registration no. 2073197. If applicant desires to restrict a different class with respect to opposer's pleaded registration, applicant is granted leave to amend the counterclaim to specify the appropriate class.

Opposer's time to answer is set forth below. In addition, conferencing, disclosure, discovery and testimony period dates are reset as indicated below. 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.

Answer to Counterclaim Due	May 26, 2010
Deadline for Discovery Conference	June 25, 2010
Discovery Opens	June 25, 2010
Initial Disclosures Due	July 25, 2010
Expert Disclosures Due	November 22, 2010
Discovery Closes	December 22, 2010
Plaintiff's Pretrial Disclosures	February 5, 2011
30-day testimony period for plaintiff's testimony to close	March 22, 2011
Defendant/Counterclaim Plaintiff's Pretrial Disclosures	April 6, 2011
30-day testimony period for defendant and plaintiff in the counterclaim to close	May 21, 2011
Counterclaim Defendant's and Plaintiff's Rebuttal Disclosures Due	June 5, 2011
30-day testimony period for defendant in the counterclaim and rebuttal testimony for plaintiff to close	July 20, 2011
Counterclaim Plaintiff's Rebuttal Disclosures Due	August 4, 2011
15-day rebuttal period for plaintiff in the counterclaim to close	September 3, 2011
Brief for plaintiff due	November 2, 2011
Brief for defendant and plaintiff in the counterclaim due	December 2, 2011
Brief for defendant in the counterclaim and reply brief, if any, for plaintiff due	January 1, 2012

Reply brief, if any, for plaintiff in
the counterclaim due

January 16, 2012

**If the parties stipulate to any extension of these dates,
the filing should set forth the dates in the format shown in
this order.** See Trademark Rule 2.121(d).

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.