

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

DUNN
Mailed: May 14, 2004

Opposition No. 92032030

GALAGEN

v.

BODY FITNESS DEVELOPMENTS,
INC.

Elizabeth A. Dunn, Attorney:

On September 29, 2003, the Board suspended proceedings pending consideration by the examining attorney of the amendment to Registration No. 2373944 (the subject of the instant petition to cancel), which was cited as a bar to registration of petitioner's pending application Serial No. 75716782.

A check of office records shows that the examining attorney withdrew the refusal of registration, and approved application Serial No. 75716782 for publication on February 16, 2004.

Accordingly, proceedings herein are resumed and petitioner is allowed until 30 days from the date on this order to withdraw its petition to cancel, failing which discovery and trial dates will be reset, and this case will go forward on the registration as amended.
