

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

PWC

Mailed: June 30, 2004

Cancellation No. 92040092

KAPALUA LAND COMPANY, LTD.

v.

KAPALUA STRICKWAREN GMBH

**Peter Cataldo, Interlocutory Attorney**

The suspension period having expired with no word from either party concerning the status of their negotiations, it is concluded that efforts to reach an amicable settlement in this case have been unsuccessful.

Accordingly, proceedings herein are resumed and respondent is allowed until thirty days from the mailing date of this order to file an answer to the petition to cancel.

Discovery is open and the close of discovery and trial dates are set as follows:

THE PERIOD FOR DISCOVERY TO CLOSE: September 30, 2004

30-day testimony period for party  
in position of plaintiff to close: December 29, 2004

30-day testimony period for party  
in position of defendant to close: February 27, 2005

15-day rebuttal testimony period to close: April 13, 2005

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. See Trademark Rule 2.125.

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.