

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

Mailed: April 8, 2005

Cancellation No. 92040092

KAPALUA LAND COMPANY, LTD.

v.

KAPALUA STRICKWAREN GMBH

Peter Cataldo, Interlocutory Attorney

Proceedings herein are suspended for **NINETY DAYS** from the mailing date of this order in view of the parties' settlement negotiations, subject to the right of either party to request resumption at any time. During the suspension period, the parties shall notify the Board of any change of address for either the parties or their counsel.

Unless the parties sooner request resumption, upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board, upon the schedule set out below.

Respondent is allowed until THIRTY DAYS from resumption in which to file and serve its response to the petition for cancellation.

The parties are allowed THIRTY DAYS from resumption in which to serve responses to any outstanding discovery

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requests. Trial dates, including the close of discovery, are reset as follows:

Proceedings Resume:	July 15, 2005
Discovery period to close:	November 12, 2005
Thirty-day testimony period for party in position of plaintiff to close:	February 10, 2006
Thirty-day testimony period for party in position of defendant to close:	April 11, 2006
Fifteen-day rebuttal testimony period to close:	May 26, 2006

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

The parties must note that inasmuch as the instant proceeding has been pending since November 2001 and issue is not yet joined, the Board will look with disfavor upon any further requests to suspend or extend dates predicated upon settlement negotiations between the parties.

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