

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

Mailed: April 19, 2003

Cancellation No. 92040463

KENNETH B. WIESEN

v.

TOOTSIE ROLL INDUSTRIES,
INC.

Rochelle Ricks, Paralegal Specialist:

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: **October 23, 2003**

Testimony period for party in
position of plaintiff to close: **January 21, 2004**
(opening thirty days prior thereto)

Testimony period for party in
position of defendant to close: **March 21, 2004**
(opening thirty days prior thereto)

Rebuttal testimony period to close **May 5, 2004**
(opening fifteen days prior thereto)

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.