

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

Baxley

Mailed: October 20, 2005

Cancellation No. 92044877

Columbia Sportswear North
America, Inc.

v.

Airway Industries, Inc.

Andrew P. Baxley, Interlocutory Attorney:

The Board inadvertently forwarded the notice instituting this proceeding and a copy of the petition to cancel that was intended for registrant to an incorrect party and address. The error is regretted.

Accordingly, the above notice, with enclosure, is remailed to registrant at the correct address: **Airway Industries, Inc., Airway Park, Ellwood City, PA 16117.**

If there has been any transfer of interest in the involved registration, registrant must so advise the Board and registrant must submit copies of the appropriate documents. See Section 10 of the Trademark Act and Patent and Trademark Rules 3.71 and 3.73.

In view of the circumstances herein, the time for filing an answer to the petition to cancel is extended to forty days from the mailing date of this order. Any

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discovery requests or notices served that remain unanswered as of the mailing date of this order must be reserved in accordance with the rules, unless otherwise agreed to by the parties.

In accordance with the Trademark Rules of Practice, discovery is open, and the close of discovery and testimony dates are set 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.

DISCOVERY PERIOD TO CLOSE: **04/21/06**

Plaintiff's 30-day testimony period to close: **07/20/06**

Defendant's 30-day testimony period to close: **09/18/06**

15-day rebuttal testimony period to close: **11/02/06**

Briefs shall be filed in accordance with Trademark Rule 1.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.