

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

Mailed: August 10, 2007

Cancellation No. 92047363

Fey Industries, Inc.

v.

Nexpak Corporation

Cindy B. Greenbaum, Attorney:

Inasmuch as the Board suspended proceedings on July 5, 2007 pending disposition of petitioner's summary judgment motion, the Board's August 3, 2007 order is modified as follows: the Board construes respondent's consented motion (filed August 3, 2007) to suspend as a motion to extend the briefing schedule of petitioner's summary judgment motion to accommodate the parties' settlement negotiations.

The motion is granted.

Accordingly, respondent has until October 3, 2007 (i.e., thirty days after the parties wishes proceedings to resume) to file a response to petitioner's summary judgment motion. Petitioner's reply, if any, is due in accordance with Trademark Rule 2.127(e)(1).

Proceedings remain otherwise suspended.

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