

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

Baxley

Mailed: July 3, 2007

Cancellation No. 92047698

Promgirl, Inc.

v.

David Wilkenfeld

**Andrew P. Baxley, Interlocutory Attorney:**

The copies of the notice instituting this proceeding and the petition to cancel that the Board sent to registrant were returned by the Postal Service as undeliverable.

A review of the registration file indicates that registrant's most recent filing in connection with the involved registration was sent from the following address: **Carlos M. Carvajal, 432 Park Avenue South, Second Floor, New York, NY 10016.** Accordingly, copies of the institution notice and petition to cancel are resent to respondent at that address.

Registrant is allowed until forty days from the mailing date of this order in which to inform this Office of its correct address in order that all records may be amended. Compliance with Patent and Trademark Rule 1.4(c) and Trademark 2.119(a) is required.

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

**DISCOVERY PERIOD TO CLOSE: 1/4/08**

**Plaintiff's 30-day testimony period to close: 4/3/08**

**Defendant's 30-day testimony period to close: 6/2/08**

**Plaintiff's 15-day rebuttal testimony period to close: 7/17/08**

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

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

If the parties to this proceeding are also parties to other Board proceedings involving related marks or, during the pendency of this proceeding, they become parties to such proceedings, they should notify the Board immediately, so that the Board can consider consolidation of proceedings.