

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

Mailed: March 27, 2009

Cancellation No. 92048100

4392132 CANADA INC.

v.

LABORATOIRES DE BIOLOGIE
VEGETALE YVES R OCHER S.A.

Veronica P. White, Paralegal Specialist:

Registrant's motion (filed February 27, 2009) to extend time to file its answer to the petition to cancel is granted as conceded.

Accordingly, answer is due May 2, 2009.

In accordance with the Trademark Rules of Practice, conferencing, disclosure, discovery and testimony dates are reset as indicated below:

Deadline for Discovery Conference	6/1/2009
Discovery Opens	6/1/2009
Initial Disclosures Due	7/1/2009
Expert Disclosures Due	10/29/2009
Discovery Closes	11/28/2009
Plaintiff's Pretrial Disclosures	1/12/2010
Plaintiff's 30-day Trial Period Ends	2/26/2010
Defendant's Pretrial Disclosures	3/13/2010
Defendant's 30-day Trial Period Ends	4/27/2010
Plaintiff's Rebuttal Disclosures	5/12/2010
Plaintiff's 15-day Rebuttal Period Ends	6/11/2010

NEWS FROM THE TTAB:

The USPTO published a notice of final rulemaking in the Federal Register on August 1, 2007, at 72 F.R. 42242. By this notice, various rules governing Trademark Trial and Appeal Board inter partes proceedings are amended. Certain amendments have an effective date of August 31, 2007, while most have an effective date of November 1, 2007. For further information, the parties are referred to a reprint of the final rule and a chart summarizing the affected rules, their changes, and effective dates, both viewable on the USPTO website via these web addresses:

<http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf>
http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf

By one rule change effective August 31, 2007, the Board's standard protective order is made applicable to all TTAB inter partes cases, whether already pending or commenced on or after that date. However, as explained in the final rule and chart, this change will not affect any case in which any protective order has already been approved or imposed by the Board. Further, as explained in the final rule, parties are free to agree to a substitute protective order or to supplement or amend the standard order even after August 31, 2007, subject to Board approval. The standard protective order can be viewed using the following web address:

<http://www.uspto.gov/web/offices/dcom/ttab/tbmp/stndagmnt.htm>