

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

Mailed: April 14, 2008

Cancellation No. 92048545

Jorge Enrique Vera Vargas

v.

Universal Cooperatives, Inc.

George C. Pologeorgis, Interlocutory Attorney:

Respondent's consented motion (filed March 13, 2008) to suspend these proceedings so that the parties may pursue settlement negotiations is granted. See Trademark Rule 2.127(a).

As a procedural matter, Board records indicate that respondent on January 11, 2008 and February 11, 2008 filed and was granted via ESTTA consented requests to extend time to file its answer to the petition to cancel.

Respondent's motions to extend should not have been filed using ESTTA's consented forms. Recent amendments to the Trademark Rules, promulgated under the *Notice of Final Rulemaking*, 72 Fed. Reg. 42242, require different trial scheduling in proceedings commenced on or after November 1, 2007. ESTTA has not been programmed to generate accurate trial schedules in these cases. Accordingly, the parties

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are advised that any future requests to extend the time to answer, or to extend conferencing, disclosure, discovery and trial dates for cases filed on or after November 1, 2007 cannot be made via ESTTA's consented forms until further notice from the Board.

Notwithstanding the foregoing, answer, trial dates, including conferencing, discovery and disclosure dates, are reset as indicated below:

Proceedings resume:	9/9/2008
Time to Answer	10/9/2008
Deadline for Discovery Conference	11/8/2008
Discovery Opens	11/8/2008
Initial Disclosures Due	12/8/2008
Expert Disclosures Due	4/7/2009
Discovery Closes	5/7/2009
Plaintiff's Pretrial Disclosures	6/21/2009
Plaintiff's 30-day Trial Period Ends	8/5/2009
Defendant's Pretrial Disclosures	8/20/2009
Defendant's 30-day Trial Period Ends	10/4/2009
Plaintiff's Rebuttal Disclosures	10/19/2009
Plaintiff's 15-day Rebuttal Period Ends	11/18/2009

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>

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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>