

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

Mailed: July 27, 2010

Cancellation No. 92050966

Atlas Flowers, Inc. d/b/a  
Golden Flowers

v.

Golden Vision Flower Inc.

**Robert H. Coggins,  
Interlocutory Attorney:**

Now before the Board is respondent's motion (filed July 19, 2010) for an extension of time in which to respond to petitioner's motion for summary judgment.

Telephone Conference

In view of the approaching deadline for respondent's brief in opposition to the outstanding motion for summary judgment, the Board exercised its discretion and conducted a telephone conference to quickly resolve the merits of the motion to extend. Participating in conference, held July 23, 2010, at 11:00 a.m. EDT, were Tal Benschar and Milton Springut, counsel for petitioner; Jeffrey Dawson, counsel for respondent; and the above-referenced Board attorney responsible for resolving interlocutory matters in this case. Inasmuch as the conference was held prior to the expiration of time in which respondent could file a reply brief, respondent was allowed time during the conference to present an oral reply.

The Board presumes familiarity with the issues, and for the sake of efficiency this order does not summarize the parties' arguments made in the written submissions or during the telephone conference.

Motion to Extend

After considering the case history, written submissions, and comments made by the parties during the teleconference, the Board granted the motion to extend to the extent that respondent was allowed until August 23, 2010, in which to file a brief in opposition to the outstanding motion for summary judgment.

The Board noted that respondent's prospective attempt to attack the validity of petitioner's translation of the depositions of Shun-Chi Huang and Li-Ying Chuong, which translation is relied upon by petitioner in its motion for summary judgment, should be made as part of respondent's brief in opposition to the motion for summary judgment.

Recognizing its duty to cooperate in the discovery process, respondent stated that once it obtains its own translation of the depositions, respondent will provide a copy of the new translation to petitioner.

Schedule

As noted hereinabove, respondent's brief in opposition to the motion for summary judgment is due August 23, 2010.

Proceedings remain suspended pending disposition of petitioner's motion for summary judgment. Any paper filed

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during the pendency of this motion which is not germane thereto will be given no consideration. See Trademark Rule 2.127(d).