

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

RK/vb

Mailed: September 22, 2010

Cancellation No. 92052747

Color Image Apparel, Inc.

v.

Eco-Bella, LLC

Yong Oh (Richard) Kim, Interlocutory Attorney:

The notice instituting this proceeding and a copy of the petition for cancellation were remailed to respondent on August 24, 2010, after petitioner informed the Board on August 20, 2010 of ineffective service on respondent. The remailed notice was returned to the Board by the Postal Service as undeliverable as the time for forwarding had expired.¹ However, the Postal Service's return label included a forwarding address of Eco-Bella, LLC, 1821 Durano Mill Drive NE, Atlanta, Georgia, 30307-1171.

In view thereof, copies of the notice, with enclosure, are forwarded to Eco-Bella, LLC at the address indicated

¹ The Board has also tried to serve notice on respondent at another address but has been unsuccessful. Respondent is reminded that it is its responsibility to ensure that the Board has its current correspondence address. If a party fails to notify the Board of a change of address, with the result that the Board is unable to serve correspondence on the party, default judgment may be entered against the party. TBMP § 117.07 (2d ed. rev. 2004).

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above. Should service upon respondent be effected, an answer to the petition for cancellation is due **FORTY DAYS** from the mailing date of this order.

In accordance with the Trademark Rules of Practice, dates are reset as indicated below:

Time to Answer	10/30/2010
Deadline for Discovery Conference	11/29/2010
Discovery Opens	11/29/2010
Initial Disclosures Due	12/29/2010
Expert Disclosures Due	4/28/2011
Discovery Closes	5/28/2011
Plaintiff's Pretrial Disclosures	7/12/2011
Plaintiff's 30-day Trial Period Ends	8/26/2011
Defendant's Pretrial Disclosures	9/10/2011
Defendant's 30-day Trial Period Ends	10/25/2011
Plaintiff's Rebuttal Disclosures	11/9/2011
Plaintiff's 15-day Rebuttal Period Ends	12/9/2011

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

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