

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

MBA

Mailed: December 22, 2011

Cancellation No. 92053426

Bachmann Industries, Inc.

v.

Scientific Toys, Ltd.

Michael B. Adlin, Interlocutory Attorney:

On November 11, 2011, petitioner filed a motion for summary judgment on its claim of priority and likelihood of confusion, in response to which respondent filed, on December 16, 2011, an opposition to the motion and a cross-motion for summary judgment on the same claim. In exercising its inherent authority to control its docket, and in accordance with its standard practice, the Board hereby sets the due dates for the remaining briefs on the cross-motions as follows: petitioner is allowed until 30 days from service of respondent's combined opposition and cross-motion to file its combined reply brief in support of its motion for summary judgment and brief in opposition to respondent's cross-motion. The combined brief shall not exceed 25 pages. Cooper Technologies, 89 USPQ2d at 1479. Respondent's reply brief in support of its cross-motion is due in accordance

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with Trademark Rule 2.127(e)(1). That reply brief shall not exceed 10 pages. Proceedings herein remain suspended pursuant to the Board's order of November 21, 2011.
