

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

Mailed: January 9, 2012

Cancellation No. 92054468

Aqua-Aerobic Systems, Inc.

v.

Michael J. McKelvey dba
Aquaerobic International

Amy Matelski, Paralegal Specialist:

On December 14, 2011, respondent filed an answer to the petition to cancel and a counterclaim to cancel petitioner's pleaded registration(s). Respondent filed the proper fee.

Petitioner and counterclaim defendant, Aqua-Aerobic Systems, Inc., is allowed until **THIRTY DAYS** from the mailing date of this order to file an answer to the counterclaim. See Trademark Rules 2.114(b)(2)(iii) and 2.121(b)(2).

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

Answer to Counterclaim Due	2/8/2012
Deadline for Discovery Conference	3/9/2012
Discovery Opens	3/9/2012
Initial Disclosures Due	4/8/2012
Expert Disclosures Due	8/6/2012
Discovery Closes	9/5/2012
Plaintiff's Pretrial Disclosures	10/20/2012
30-day testimony period for plaintiff's testimony to close	12/4/2012
Defendant/Counterclaim Plaintiff's Pretrial Disclosures	12/19/2012
30-day testimony period for defendant and plaintiff in the counterclaim to close	2/2/2013
Counterclaim Defendant's and Plaintiff's Rebuttal Disclosures Due	2/17/2013
30-day testimony period for defendant in the counterclaim and rebuttal testimony for plaintiff to close	4/3/2013
Counterclaim Plaintiff's Rebuttal Disclosures Due	4/18/2013
15-day rebuttal period for plaintiff in the counterclaim to close	5/18/2013
Brief for plaintiff due	7/17/2013
Brief for defendant and plaintiff in the counterclaim due	8/16/2013
Brief for defendant in the counterclaim and reply brief, if any, for plaintiff due	9/15/2013
Reply brief, if any, for plaintiff in the counterclaim due	9/30/2013

If the parties stipulate to any extension of these dates, the filing should set forth the dates in the format shown in this order. See Trademark Rule 2.121(d).

An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.