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

Mailed: May 29, 2013

Cancellation No. 92054629

Sheltered Wings, Inc.

v.

Wohali Outdoors, LLC

George C. Pologeorgis,
Interlocutory Attorney:

Petitioner's consented motion (filed May 17, 2013) to extend testimony periods is granted. Trademark Rule 2.127(a).

Testimony periods are reset in accordance with petitioner's consented motion.

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.l25.

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.l29.

As a final matter, the Board notes that on May 17, 2013, respondent filed objections to petitioner's pretrial disclosures. Specifically, respondent objects to any testimony of petitioner's designated witness Ben Lizdas that exceeds the scope of his five-page declaration that was submitted in support of petitioner's opposition to respondent's motion for summary judgment.[1]

The Board construes respondent's May 17, 2013 objections as a motion to limit the scope of testimony taken by petitioner during petitioner's assigned testimony period. The Board is construing respondent's objections as such in order to resolve any disputes regarding the testimony to be provided by Mr. Lizdas prior to the opening of petitioner's testimony period, as reset by this order.

Accordingly, proceedings herein are now **suspended** pending the disposition of respondent's construed motion to limit the testimony of Mr. Lizdas.

[1] By order dated November 8, 2012, the Board denied respondent's motion for summary judgment, as well as petitioner's cross-motion for summary judgment.