

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

Mailed: February 20, 2013

Cancellation No. 92055094

Swig, Inc.

v.

Temperance Distilling  
Company, Inc.

**Millicent Canady, Paralegal Specialist:**

Appointment of Attorney

On November 21, 2012, the Board allowed petitioner time to appoint new counsel, or to file a paper stating that petitioner chooses to represent itself.

In response, on December 20, 2012, petitioner filed a power of attorney appointing the law firm of Winstead PC to conduct any business on behalf of petitioner in this proceeding.<sup>1</sup>

Suspension Order Modified

On January 23, 2013, opposer filed a consented motion to suspend proceedings for ninety (90) days to accommodate the parties' continued settlement efforts. The motion was granted by the Board on that same date.

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<sup>1</sup> The Board records have been updated to reflect this change.

As set forth in the January 23, 2013 order, proceedings resume on April 23, 2013. That order is hereby modified to the extent that trial dates, including counterclaim dates are reset as set forth below:

<b>Proceeding Resume</b>	<b>April 23, 2013</b>
Expert Disclosures Due	April 24, 2013
Discovery Closes	May 24, 2013
Plaintiff's Pretrial Disclosures	July 8, 2013
30-day testimony period for plaintiff's testimony to close	August 22, 2013
Defendant/Counterclaim Plaintiff's Pretrial Disclosures	September 6, 2013
30-day testimony period for defendant and plaintiff in the counterclaim to close	October 21, 2013
Counterclaim Defendant's and Plaintiff's Rebuttal Disclosures Due	November 5, 2013
30-day testimony period for defendant in the counterclaim and rebuttal testimony for plaintiff to close	December 20, 2013
Counterclaim Plaintiff's Rebuttal Disclosures Due	January 4, 2014
15-day rebuttal period for plaintiff in the counterclaim to close	February 3, 2014
Brief for plaintiff due	April 4, 2014
Brief for defendant and plaintiff in the counterclaim due	May 4, 2014
Brief for defendant in the counterclaim and reply brief, if any, for plaintiff due	June 3, 2014
Reply brief, if any, for plaintiff in the counterclaim due	June 18, 2014

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

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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.