

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

Mailed: June 7, 2013

Cancellation No. 92056995

Jack Rajca

v.

New Yorker S.H.K. Jeans  
GmbH & Co. KG

**Karl Kochersperger, Paralegal Specialist:**

Petitioner's amended petition to cancel filed May 31, 2013 is noted. Proceedings have been suspended pending respondent's motion to dismiss filed May 10, 2013.

Petitioner has deleted the fraud claim in its amended petition to cancel, which now makes the motion to dismiss a moot point. Accordingly, petitioner's amended petition is accepted, made of record and is now petitioner's operative pleading herein. Respondent's motion to dismiss is moot and will be given no further consideration.

Proceedings are resumed and respondent is allowed until July 8, 2013 to file its answer to the amended petition to cancel. Trial dates, including conferencing, disclosure and discovery dates are reset as follows:

Time to Answer

7/8/2013

Deadline for Discovery Conference	8/7/2013
Discovery Opens	8/7/2013
Initial Disclosures Due	9/6/2013
Expert Disclosures Due	1/4/2014
Discovery Closes	2/3/2014
Plaintiff's Pretrial Disclosures	3/20/2014
Plaintiff's 30-day Trial Period Ends	5/4/2014
Defendant's Pretrial Disclosures	5/19/2014
Defendant's 30-day Trial Period Ends	7/3/2014
Plaintiff's Rebuttal Disclosures	7/18/2014
Plaintiff's 15-day Rebuttal Period Ends	8/17/2014

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 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.