

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

Mailed: June 17, 2013

Cancellation No. 92057201

NexPay, Inc.

v.

StoneEagle Services, Inc.

Clara Vela, Paralegal Specialist:

On May 16, 2013, petitioner filed an amended petition to cancel in this case. Pursuant to Fed. R. Civ. P. 15(a)(1), a party to an inter partes proceeding before the Board may amend its pleading once as a matter of course within 21 days after serving it. An amendment filed as a matter of course need not be accompanied by a motion for leave to amend.

Inasmuch as the amended pleading was filed within 21 days of serving it, petitioner's amended petition to cancel is now the operative pleading herein.

Respondent is allowed until THIRTY DAYS from the mailing date of this order to file its answer to the amended petition to cancel. Conferencing, disclosure, discovery and trial dates are reset as follows:

Time to Answer
Deadline for Discovery Conference

7/15/2013
8/14/2013

Discovery Opens	8/14/2013
Initial Disclosures Due	9/13/2013
Expert Disclosures Due	1/11/2014
Discovery Closes	2/10/2014
Plaintiff's Pretrial Disclosures	3/27/2014
Plaintiff's 30-day Trial Period Ends	5/11/2014
Defendant's Pretrial Disclosures	5/26/2014
Defendant's 30-day Trial Period Ends	7/10/2014
Plaintiff's Rebuttal Disclosures	7/25/2014
Plaintiff's 15-day Rebuttal Period Ends	8/24/2014

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.

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.