

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: September 19, 2005

Concurrent Use No. 94002124

Woodstock's Enterprises, Inc.
(Oregon)

v.

Woodstock's Enterprises, Inc.
(Calif.)

To: NANCY J. MORIARTY
CHERNOFF VILHAUER MCCLUNG & STENZEL LLP
1600 ODS TOWER 601 SW SECOND AVENUE
PORTLAND, OR 97204

Re: Serial No.: 76199098
Filed: 1/23/01

Amy Matelski, Paralegal Specialist

A concurrent use proceeding involving your above-identified application is hereby instituted under the provisions of Section 2(d) of the Trademark Act of 1946. The proceeding will be conducted in accordance with the Rules of Practice in Trademark Cases, as set out in Title 37 of the Code of Federal Regulations.

Woodstock's Enterprises, Inc. (Oregon), the registrant referred to in your application, is being notified on this date of the institution of the concurrent use proceeding and is being supplied with a copy of your application, in accordance with the provisions of Rule 2.99. As the owner of a registration no. 24259957, Woodstock's Enterprises, Inc. (Oregon) is not required to file an answer but may do so under Rule 2.99. The Trademark Trial and Appeal Board has set forty days from the mailing date above as the due date for any such answer.

You are requested to advise the Board of any relevant applications or registrations, other than those already referenced herein, which should be included in this

concurrent use proceeding. Your response, if any, should be in writing and must be filed on or before **40 days from the mailing date above.**

**DISCOVERY AND TESTIMONY PERIODS ARE SET 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. Rule 2.125.

Discovery period to close: **April 7, 2006**

Thirty-day testimony period for party in position of plaintiff to close: **July 6, 2006**

Thirty-day testimony period for party in position of defendant to close: **September 4, 2006**

Fifteen-day rebuttal testimony period to close: **October 19, 2006**

Briefs shall be filed in accordance with Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Rule 2.129.

CC:

Woodstock's Enterprises, Inc.
8305 Vickers Street Suite 105
San Diego, CA 92111