

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

Mailed: November 29, 2006

Concurrent Use No. 94002192

TRUE VALUE COMPANY

v.

Lisa Hill, Inc.

Christopher J. Schulte  
Merchant & Gould, P.C.  
P.O. Box 2910  
Minneapolis, MN 55402-0910

Re: Serial No.: 78505130  
Filed: 10/25/2004

**Tyrone Craven, Paralegal:**

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.

Lisa Hill, Inc., 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. 2169375, Lisa Hill, Inc. is not required to file an answer but may do so under Rule 2.99. The Trademark Trial and Appeal Board has set January 7, 2007 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 to open: December 18, 2006

Discovery to close: June 16, 2007

Testimony period for party in  
position of plaintiff to close: September 14, 2007  
(opening thirty days prior thereto)

Testimony period for party in  
position of defendant to close: November 13, 2007  
(opening thirty days prior thereto)

Rebuttal testimony period to close: December 28, 2007  
(opening fifteen days prior thereto)

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:  
LISA HILL  
PARTY PLUS WAREHOUSE  
6520 UNIVERSITY AVE., SUITE 10  
LUBBOCK, TX 79413