

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

Mailed: March 9, 2007

Concurrent Use No. 94002211

ABC Glass Enclosures, LLC.

V.

John L. Thompson, Jr. and  
Cynthia L. Thompson

JOHN L. HINES, JR.  
SACHNOFF & WEAVER, LTD.  
10 S WACKER DR, SUITE 4000  
CHICAGO, IL 60606  
UNITED STATES

Serial No.: 76632240  
Filed: 2/28/05

**Angela Campbell, 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.

John L. Thompson, Jr. and Cynthia L. Thompson, the users referred to in your application, are 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. The users have been given until **40 days from the mailing date above** to file an answer under Rule 2.99. Should the users fail to file the required answer, the proceeding may be handled as in a case of default. See Rule 2.99(d)(3).

You are requested to advise the Board of any relevant applications or registrations, other than that already referenced herein, which should be included in this concurrent use proceeding. Your response, if any, should be in writing and should 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 open: **3/29/07**

Discovery period to close: **9/25/07**

30-day testimony period for party  
in position of plaintiff to close: **12/24/07**

30-day testimony period for party  
in position of defendant to close: **2/22/08**

15-day rebuttal testimony period  
to close: **4/7/08**

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.

**NOTE:** The Board allows parties to utilize telephone conferences to discuss or resolve many interlocutory matters that arise in inter partes cases. See TBMP § 502.06(a) (2d ed. rev. 2004).

If the parties to this proceeding are (or during the pendency of this proceeding, become) parties to another Board or civil proceeding involving related marks or other common issues of law or fact, they shall notify the Board immediately, so that the Board can consider consolidation or suspension of proceedings, if appropriate.

**New Developments at the Trademark Trial and Appeal Board**

For faster handling of all papers, the TTAB strongly encourages electronic filing whenever possible. TTAB forms for electronic filings are available at <http://estta.uspto.gov>. Images of TTAB proceeding files can be viewed using TTABvue at <http://ttabvue.uspto.gov>.

CC:

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UNITED STATES