

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. 94002212

Westfield Savings Bank

V.

Ohio Farmers Insurance  
Company

V.

Westfield Financial  
Corporation

To: ANDREW J. FERREN

Re: Serial No.: 76229151  
Filed: 3/23/01

Karl Kochersperger, 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.

Westfield Financial Corporation; and Ohio Farmers Insurance Company, the registrants referred to in your application, are being notified on this date of the institution of the concurrent use proceeding and are being supplied with a copy of your application, in accordance with the provisions of Trademark Rule 2.99. As the owner of a registration (no. 3139398 Westfield Financial Corporation) (no. 2992750 Ohio Farmers Insurance Company), defending registrants are not required to file an answer but may do so under Trademark Rule 2.99. The Trademark Trial and Appeal Board has set *forty days* from the mailing date hereof 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 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**

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<http://estta.uspto.gov>. Images of TTAB proceeding files can be viewed using TTABvue at <http://ttabvue.uspto.gov>.

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