

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

am

Mailed: December 7, 2004

Opposition No. 91114279

TELEFONAKTIEBOLAGET LM
ERICSSON

v.

TORNADO, INC.¹

Jyll S. Taylor, Attorney:

Opposer's motion (filed May 11, 2004) to compel is hereby granted as uncontested. See Trademark Rule 2.127(a).

In view thereof, applicant is hereby ordered to serve no later than **THIRTY DAYS** from the mailing date of this order its responses, without objection, to opposer's first set of interrogatories and first request for production of documents. See *Bison Corp. v. Perfecta Chemie B.V.*, 4 USPQ2d 1718, (TTAB 1987).

In the event applicant fails to respond to opposer's discovery requests as ordered herein, opposer's remedy lies in a motion for judgment pursuant to Trademark Rule 2.120(g), 37 CFR Section 2.120(g).

Trial dates are reset as follows:

THE PERIOD FOR DISCOVERY TO CLOSE:	October 20, 2004
30-day testimony period for party in position of plaintiff to close:	January 18, 2005
30-day testimony period for party in position of defendant to close:	March 19, 2005
15-day rebuttal testimony period to close:	May 3, 2005

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.

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.

