UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Mailed: May 30, 2002

Opposition No. 91122837

NEW BALANCE ATHLETIC SHOE, INC.

v.

H. JOHN CAMPAIGN

David Mermelstein, Attorney:

Now before the Board is applicant's motion to dismiss pursuant to Trademark Rule 2.132(a), filed April 29, 2002. Applicant's motion is DENIED, because opposer's testimony period has not yet opened, let alone closed. A copy of the Board's order dated February 8, 2002, resetting discovery and trial dates is attached.

All dates remain as set in the Board's February 8, 2002, order.

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