

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

cv

Mailed: February 8, 2002

Opposition No. 91122837

NEW BALANCE ATHLETIC SHOE,
INC.

v.

H. JOHN CAMPAIGN

Clara Vela, Legal Assistant

On August 3, 2001, applicant filed an answer to the opposition and a counterclaim to cancel opposer's pleaded registration(s). Applicant filed the proper fee.

Opposer and counterclaim defendant, New Balance Athletic Shoe, Inc., is allowed until **THIRTY DAYS** from the mailing date of this order to file an answer to the counterclaim. See Trademark Rules 2.106(b)(2)(iii) and 2.121(b)(2).

In accordance with the Trademark Rules of Practice, discovery is open, and the close of discovery and testimony dates 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

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within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

THE PERIOD FOR DISCOVERY TO CLOSE:	April 9, 2002
30-day testimony period for party in position of plaintiff to close:	July 8, 2002
30-day testimony period for party in position of defendant in the opposition and plaintiff in the counterclaim to close:	September 6, 2002
30-day rebuttal testimony period for defendant in the counterclaim and plaintiff in the opposition to close:	November 5, 2002
15-day rebuttal testimony period for plaintiff in the counterclaim to close:	December 20, 2002
Briefs shall be due as follows: [See Trademark Rule 2.128(a)(2)].	
Brief for plaintiff in the opposition shall be due:	February 18, 2003
Brief for defendant in the opposition and plaintiff in the counterclaim shall be due:	March 20, 2003
Brief for defendant in the counterclaim and reply brief, if any, for plaintiff in the opposition shall be due:	April 19, 2003
Reply brief, if any, for plaintiff in the counterclaim shall be due:	May 4, 2003

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If the parties stipulate to any extension of these dates, the papers should be filed in triplicate and should set forth the dates in the format shown in this order. See Trademark Rule 2.121(d).

An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.