

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

Mailed: July 2, 2004

Opposition No. **91150138**

SOCIETE DES PRODUITS NESTLE  
S.A.

v.

AMGEN INC.

***Rochelle Ricks, Paralegal Specialist:***

The suspension period having expired with no word from either party concerning the status of their negotiations, it is concluded that efforts to reach an amicable settlement in this case have been unsuccessful.

Accordingly, proceedings herein are RESUMED. The parties are allowed thirty days in which to respond to any outstanding discovery requests. Trial dates, including the close of discovery, are reset as follows:

THE PERIOD FOR DISCOVERY TO CLOSE: October 4, 2004

30-day testimony period for party  
in position of plaintiff to close: January 2, 2005

30-day testimony period for party  
in position of defendant to close: March 3, 2005

15-day rebuttal testimony period to close: April 17, 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.