

**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
**Trademark Trial and Appeal Board**  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

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Mailed: July 1, 2004

Opposition No. 91152049

Gel Tech, L.L.C.

v.

Zygam, Inc.

On February 26, 2004, the Board mailed a notice of default which allowed opposer time to show cause why default judgment should not be entered against opposer for failure to file a main brief.

On March 29, 2004, opposer filed response to the notice of default. Based on the information provided by opposer on March 29, 2004, the notice of default mailed on February 26, 2004 is hereby set aside. See Fed. R. Civ. P. 55, and TBMP §317.

Opposer has also moved to reset the discovery and trial periods. Opposer's motion is uncontested and therefore conceded by applicant. See Trademark Rule 2.127(a). Accordingly, opposer's motion is hereby granted to the extent that discovery and trial periods are reset as set forth below.

**Opposition No. 91152049**

THE PERIOD FOR DISCOVERY TO CLOSE:	August 27, 2004
30-day testimony period for party in position of plaintiff to close:	November 25, 2004
30-day testimony period for party in position of defendant to close:	January 24, 2005
15-day rebuttal testimony period for plaintiff to close:	March 10, 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.