

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

Baxley

Mailed: October 2, 2003

Opposition No. **91156101**

Minitube Of America, Inc.

v.

Continental Plastic Corp.

Andrew P. Baxley, Interlocutory Attorney:

Applicant's motion (filed June 11, 2003) to accept a late-filed answer is hereby granted as conceded.

Applicant's concurrently filed answer is hereby accepted and made of record.

To eliminate any potential prejudice caused by the Board's delay in acting on applicant's motion, discovery and trial dates are hereby reset as follows.

DISCOVERY PERIOD TO CLOSE: **1/14/04**

Plaintiff's thirty-day testimony period to close: **4/13/04**

Defendant's thirty-day testimony period to close: **6/12/04**

Fifteen-day rebuttal testimony period to close: **7/27/04**

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.

Opposition No. 156,101

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.