

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

jh/LMS

Mailed: March 22, 2004

Opposition No. 91156249

OMS Investments, Inc.

v.

**CENTRAL GARDEN & PET COMPANY**

***Janice D. Hyman, Paralegal Specialist:***

Applicant's consented motions for extension of time filed November 18, 2003, December 23, 2003 and February 19, 2004 are noted. The parties also filed, on December 2, 2003, a stipulated protective agreement.

The consented motions to extend time are hereby granted and the trial dates are as set forth in applicant's motion of February 19, 2004.

In regards to the stipulated protective agreement, the parties are referred, as appropriate, to 37 CFR § 2.126(d) governing confidential submissions and TBMP §§ 412.03 (Signature of Protective Order), 412.04 (Filing Confidential Materials With Board), 412.05 (Handling of Confidential Materials by Board).

The parties are advised that only confidential or trade secret information should be filed pursuant to a stipulated protective agreement. Such an agreement may not be used as a means of circumventing paragraphs (d) and (e) of 37 CFR § 2.27, which provide, in essence, that the file of a published application or issued registration, and all proceedings relating thereto, should otherwise be available for public inspection.