

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

Mailed: August 3, 2004

Opposition No. 91156953

THE NATIONAL CANCER INSTITUTE

v.

National Dairy Council

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 and applicant is allowed until *thirty days* from the mailing date of this order to file an answer to the notice of opposition.

Discovery is open and the close of discovery and trial dates are set as follows:

THE PERIOD FOR DISCOVERY TO CLOSE:	January 1, 2004
30-day testimony period for party in position of plaintiff to close:	March 31, 2004
30-day testimony period for party in position of defendant to close:	May 30, 2004
15-day rebuttal testimony period to close:	July 14, 2004

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.

**Karl Kochersperger, Paralegal**