

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

Baxley

Mailed: November 19, 2003

Opposition No. **91157511**

Cybex Computer Products
Corporation

v.

Network Technologies, Inc.

Andrew P. Baxley, Interlocutory Attorney:

On October 2, 2003, applicant filed an answer to the opposition and a counterclaim to cancel opposer's pleaded registration(s). Applicant filed the proper fee.

Opposer and counterclaim defendant, Cybex Computer Products Corporation, is allowed until **THIRTY DAYS** from the mailing date of this order to file an answer to the counterclaim. See Trademark Rules 2.106(b)(2)(iii) and 2.121(b)(2).

In accordance with the Trademark Rules of Practice, discovery is open, and the close of discovery and testimony dates are set as indicated below. 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. 91157511

THE PERIOD FOR DISCOVERY TO CLOSE: 4/14/04

Thirty-day testimony period for
plaintiff in the opposition to close: 7/13/04

Thirty-day testimony period for defendant in the opposition
and as plaintiff in the counterclaim to close: 9/11/04

Thirty-day testimony period for defendant in the counterclaim
and its rebuttal testimony as plaintiff in the
opposition to close: 11/10/04

Fifteen-day rebuttal testimony period for plaintiff in the
counterclaim to close: 12/25/04

Briefs shall be due as follows:

[See Trademark rule 2.128(a)(2)].

Brief for plaintiff in the opposition shall be due: 2/23/05

Brief for defendant in the opposition and as
plaintiff in the counterclaim shall be due: 3/25/05

Brief for defendant in the counterclaim and its reply
brief (if any) as plaintiff in the opposition
shall be due: 4/24/05

Reply brief (if any) for plaintiff in the
counterclaim shall be due: 5/9/05

If the parties stipulate to any extension of these dates,
the papers should set forth the dates in the format shown in
this order. See Trademark Rule 2.121(d).

An oral hearing will be set only upon request filed as
provided by Trademark Rule 2.129.