

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

Mailed: April 2, 2004

Opposition No. 91157889

MAPLE LEAF TECHNOLOGIES INC
AND MAPLE LE AND MAPLE LEAF
FARMS INC

v.

Maple Leaf Foods Inc.

Peter Cataldo, Interlocutory Attorney

Notice of Default Set Aside

Applicant's response (filed on March 10, 2004) to the February 9, 2004 notice of default is noted. Based upon the showing made therein, the notice of default is hereby set aside and applicant's answer, filed therewith, is accepted and made of record.

Proceedings Suspended

Because the parties are negotiating for possible settlement of this case, proceedings herein are suspended until six months from the mailing date of this action, subject to the right of either party to request resumption at any time. See Trademark Rule 2.117(c).

In the event that there is no word from either party concerning the progress of their negotiations within the next

six months, the Board will issue an order resuming proceedings and resetting trial dates, including the time for discovery.

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.

Proceedings herein are suspended for SIX MONTHS from the mailing date of this order in view of the parties' settlement negotiations, subject to the right of either party to request resumption at any time. During the suspension period, the parties shall notify the Board of any change of address for either the parties or their counsel.

Unless the parties sooner request resumption, upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board, upon the schedule set out below.

The parties are allowed THIRTY DAYS from resumption in which to serve responses to any outstanding discovery requests. Trial dates, including the close of discovery, are reset as follows:

Proceedings Resume: **October 1, 2004**
Discovery period to close: **January 29, 2005**
Thirty-day testimony period for party in position of plaintiff to close: **April 29, 2005**
Thirty-day testimony period for party in position of defendant to close: **June 28, 2005**
Fifteen-day rebuttal testimony period to close: **August 12, 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.

* * * * *