

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: March 15, 2005

Opposition No. 91158851

RETAIL ROYALTY COMPANY

v.

CLUETT PEABODY RESOURCES
CORPORATION

David Mermelstein, Attorney:

Now before the Board are the parties' stipulations, filed February 14, and March 8, 2005, for continued suspension in light of their settlement efforts.

The stipulated motions are GRANTED, to the extent that proceedings are SUSPENDED for ninety days from the mailing date of this order. Upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board upon the schedule set out below.

Applicant is allowed THIRTY DAYS from resumption in which to file an answer to the notice of opposition.¹ The parties are allowed the same thirty days in which to serve responses to any outstanding discovery requests. Trial

¹ Although issue has yet to be joined, this proceeding will be more than eighteen months old by the time proceedings resume. Accordingly, further extension or suspension of time to answer will only be granted upon a showing of extraordinary and unforeseen circumstances.

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dates, including the close of discovery, are reset as follows:

Proceedings Resume	June 13, 2005
DISCOVERY PERIOD TO CLOSE:	September 11, 2005
Thirty-day testimony period for party in position of plaintiff to close:	December 10, 2005
Thirty-day testimony period for party in position of defendant to close:	February 8, 2006
Fifteen-day rebuttal testimony period to close:	March 25, 2006

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.

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