UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3514

Mailed: May 27, 2004

Opposition No. 91159300

Never Summer Industries, Inc.

v.

Rockies Trademarks, Inc.

Eric McWilliams, Paralegal Specialist

Applicant's consented motion filed May 7, 2004, to extend its time to answer is noted.

Because the parties are negotiating for a 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, 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 answer the notice of opposition. The parties are allowed the same THIRTY DAYS in which to serve responses to

any outstanding discovery requests. Trial dates, including the close of discovery, are reset as follows:

Proceedings resume:	**November 27, 2004**
Discovery period to close:	**February 25, 2005**
Thirty-day testimony period for party in position of plaintiff to close:	**May 26, 2005**
Thirty-day testimony period for party in position of defendant to close:	**July 25, 2005**
Fifteen-day rebuttal testimony period to close:	**September 8, 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.l25.

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.l29.

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