

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

Mailed: September 7, 2005

Opposition No. 91159407

Rudolf Wild GmbH & Co. KG

v.

Cappuccino Americana
Corporation

Cindy B. Greenbaum, Attorney:

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:

DISCOVERY PERIOD TO CLOSE: **December 15, 2005**

Thirty-day testimony period for party in position of plaintiff to close: **March 15, 2006**

Thirty-day testimony period for party in position of defendant to close: **May 14, 2006**

Fifteen-day rebuttal testimony period to close: **June 28, 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.