

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

DUNN
Mailed: January 13, 2005

Opposition No. 91161375

BFS Diversified Products, LLC

v.

Kimberton Enterprises, Inc.

Elizabeth A. Dunn, Attorney:

This order replaces the Board's order issued January 11, 2005.

Applicant's consented motion to suspend proceedings for six months, filed January 11, 2005, is granted. Proceedings herein are suspended until July 11, 2005, 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:	July 11, 2005
THE PERIOD FOR DISCOVERY TO CLOSE:	January 11, 2006
30-day testimony period for party in position of plaintiff to close:	April 11, 2006
30-day testimony period for party in position of defendant to close:	June 10, 2006
15-day rebuttal testimony period to close:	July 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.