

**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. BOX 1451
Alexandria, Virginia 22313**

Mailed: December 9, 2004

Opposition No. 91162100
Serial Nos. 78252586
78252527

Aventis

v.

Advaxis, Inc.

Karen Kuhlke, Attorney:

The Board, on September 15, 2004, instituted this proceeding against application Serial No. 78252586. It has come to the Board's attention that opposer, Aventis, filed a notice of opposition against two applications, Serial Nos. 78252586 and 78252527, under the same online cover sheet through ESSTA, the Board's online filing system. In view thereof, the Board hereby modifies its institution order, dated September 15, 2004, to include the notice of opposition against application Serial No. 78252527. Although opposer attached separate notices of opposition against each application, because they were sent as one filing through ESSTA the Board is combining them under the

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same proceeding number.¹ A copy of both notices of opposition are hereby forwarded to applicant. The Board notes receipt of applicant's answer to the notice of opposition against application Serial No. 78252527. Applicant is allowed until **FORTY DAYS** from the mailing date of this order to file an answer to the notice of opposition against application Serial No. 78252586.

Discovery is open and dates are reset as indicated below.

DISCOVERY PERIOD TO CLOSE:	June 15, 2005
30-day testimony period for party in position of plaintiff to close:	September 13, 2005
30-day testimony period for party in position of defendant to close:	November 12, 2005
15-day rebuttal testimony period to close:	December 27, 2005

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¹ Opposer is advised that the better practice is to create one pleading covering both applications.