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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91164950
Party	Plaintiff C.A.T. Tobacco Corporation
Correspondence Address	MITCHELL H STABBE DOW LOHNES & ALBERTSON PLLC 1200 NEW HAMPSHIRE AVENUE N.W. SUITE 800 WASHINGTON, DC 20036 UNITED STATES trademark@dowlohnesc.com, mstabbe@dowlohnesc.com
Submission	Other Motions/Papers
Filer's Name	Mitchell H. Stabbe
Filer's e-mail	mstabbe@dowlohnesc.com, trademark@dowlohnesc.com
Signature	/Mitchell H. Stabbe/
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of
Serial No. 78/302,599
Date of Publication: January 4, 2005
Mark: RESERVA SELECTO VIII

C.A.T. TOBACCO CORPORATION,)	
)	
Opposer,)	
)	Opposition No. 91164950
v.)	
)	
ANNCAS, INC.,)	
)	
Applicant.)	

OPPOSER’S MOTION TO RESET TRIAL TESTIMONY PERIODS

Opposer C.A.T. Tobacco Corporation d/b/a Toraño Cigars (“Toraño Cigars”), by its undersigned counsel, pursuant to 37 C.F.R. §§ 2.124(d)(2), 2.116(a) and 2.127(a), requests that trial testimony periods in this proceeding be amended as follows:

Testimony period for party in position of plaintiff to close: (for depositions on written questions only)	September 15, 2007
Testimony period for party in position of defendant to close: (opening thirty days prior thereto)	November 15, 2007
Rebuttal period to close: (opening fifteen days prior thereto)	January 15, 2008

As grounds for this motion, Opposer states that it has noticed depositions on written questions of several non-party witnesses. The rules for such depositions require successive periods of time for written cross-questions, redirect questions and recross questions, which may take as long as fifty-five days from the date of the original notice.

37 C.F.R. § 2.124(d)(1). Therefore, the depositions needed to be scheduled for dates after the close of the initial testimony for opposer.

Upon the filing of the notices of deposition, the Board is to suspend or reschedule other proceedings in this matter to allow for the orderly completion of the depositions without the necessity of a motion. 37 C.F.R. § 2.124(d)(2). In accordance with that rule and to facilitate the process, Opposer is submitting the proposed timetable above for the rescheduling of the remaining trial testimony.

Respectfully submitted,

C.A.T. TOBACCO CORPORATION

By: /Mitchell H. Stabbe/
Mitchell H. Stabbe
Its Attorney

DOW, LOHNES P.L.L.C.
1200 New Hampshire Ave., N.W.
Suite 800
Washington, D.C. 20036
(202) 776-2000
mstabbe@dowlohnes.com
trademark@dowlohnes.com

August 8, 2007

CERTIFICATE OF DELIVERY

I hereby certify that the foregoing Opposer's Motion To Reset Trial Testimony Periods is being filed electronically with the Trademark Trial and Appeal Board, U.S. Patent and Trademark Office, Madison East, Concourse Level Room C 55, 600 Dulany Street, Alexandria, VA 22314, via the Electronic System for Trademark Trials and Appeals (<http://esta.uspto.gov>), this 8th day of August 2007.

/Mitchell H. Stabbe/
Mitchell H. Stabbe

CERTIFICATE OF SERVICE

I certify that on this 8th day of August 2007, I caused to be served, by electronic mail and first class mail, postage prepaid, a copy of the foregoing Opposer's Motion To Reset Trial Testimony Periods (With Consent), to the following persons, at their said addresses:

Jesus Sanchelima, Esq.
(jesus@sanchelima.com)
Leticia Guerra, Esq.
(guerra@sanchelima.com)
Sanchelima & Associates, P.A.
235 Southwest LeJeune Road
Miami, FL 33134

/Mitchell H. Stabbe/
Mitchell H. Stabbe

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