

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

Mailed: April 20, 2006

Opposition Nos. **91165267**
91166409

NETWORK APPLIANCE, INC.,

v.

ADAPTEC, INC.

Jyll S. Taylor, Attorney :

It has come to the attention of the Board that the resumption dates for these consolidated proceedings set forth in the Board's March 16, 2006 order did not include dates for the counterclaim. Accordingly, the Board's March 16, 2006 order is modified as set forth below.

Proceedings resume: May 5, 2006

Discovery and trial dates are reset as follows:

THE PERIOD FOR DISCOVERY TO CLOSE: September 15, 2006

30-day testimony period for plaintiff
in the opposition to close: December 14, 2006

30-day testimony period for defendant
in the opposition and plaintiff in
the counterclaim to close: February 12, 2007

30-day testimony period for defendant
in the counterclaim and rebuttal
testimony for plaintiff in the
opposition to close: April 13, 2007

15-day rebuttal testimony period for
plaintiff in the counterclaim to
close: May 28, 2007

Opposition Nos. 91165267 and 91166409

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.

In accordance with the provisions of Trademark Rule 2.128(a)(2), briefs shall be due as follows.

Brief for plaintiff in the
opposition shall be due: July 27, 2007

Brief for defendant in the
opposition and plaintiff in
the counterclaim shall be due: August 26, 2007

Brief for defendant in the
counterclaim and reply brief,
if any, for plaintiff in the
opposition shall be due: September 25, 2007

Reply brief, if any, for
plaintiff in the counterclaim
shall be due: October 10, 2007

An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.
