

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

Mailed: January 2, 2009

Opposition No. 91166574

WAVESENSE LLC

v.

AGAMATRIX, INC.

Frances S. Wolfson, Interlocutory Attorney:

On December 29, 2008, the parties contacted the Board for an oral hearing on a joint motion to extend opposer's time to file a response to applicant's motion to suspend proceedings pending disposition of a civil action between the parties. The motion was presented orally by Stephen Z. Vegh, Esq., representing opposer and Ira J. Levy, Esq., representing applicant. Participating for the Board was the above-signed interlocutory attorney.

During the phone conference, the parties agreed on several matters and the Board heard argument on the motion. For sake of efficiency, the Board does not reiterate the parties' arguments but makes the following determinations:

IT IS HEREBY ORDERED THAT:

1. Opposer's response to applicant's motion to suspend is due by January 30, 2009.

2. Applicant's outstanding discovery responses are due by March 2, 2009.

3. Opposer's outstanding discovery responses are due by March 12, 2009.

4. Trial dates, including disclosure dates and the close of discovery, are reset as indicated below.

Expert Disclosures Due	3/31/09
Discovery Closes	4/30/09
Plaintiff's Pretrial Disclosures Due	6/14/09
Plaintiff's 30-day Trial Period Ends	7/29/09
Defendant's Pretrial Disclosures Due	8/13/09
Defendant's 30-day Trial Period Ends	9/27/09
Plaintiff's Rebuttal Disclosures Due	10/12/09
Plaintiff's 15-day Rebuttal Period Ends	11/11/09

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 Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.