

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

Mailed: August 13, 2007

Opposition No. 91168038

The Gold Corporation

v.

Hawaii Kine Inc.

Frances S. Wolfson, Interlocutory Attorney:

On May 22, 2007, the Board granted applicant's motion for a continuance under Fed. R. Civ. P. 56(f), allowed applicant time to take further discovery, and set the date by which applicant was to complete such discovery. The Board also set the date applicant's response to opposer's motion for summary judgment was due.

On August 7, 2007, applicant filed an unconsented motion to extend the discovery schedule. On August 9, 2007, the Board convened a telephone conference to determine applicant's motion. In attendance were Martin Hsai, Esq. and Colin Miwa, Esq., attorneys for opposer; Steve Quigley, Esq. and Doug Miro, Esq., attorneys for applicant; and the above-referenced Board attorney.

For the sake of efficiency, the Board will not detail the parties' arguments on the merits of applicant's motion, but sets forth its determination on the motion as follows:

1. The discovery period on the Rule 56(f) motion will close September 20, 2007;
2. Applicant's response to opposer's motion for summary judgment is due by October 19, 2007;
3. Opposer's reply brief, if any, in support of its motion for summary judgment is due by November 8, 2007.

The Board thanks counsel for their courtesy and cooperation during the phone conference and repeats its expectation that the parties continue to work together to resolve any discovery disputes prior to requesting Board intervention.

Proceedings otherwise remain suspended.

-oOo-