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

vb

Mailed: May 2, 2007

Opposition No. 91169381

Bonne Bell, Inc.

v.

INTERMARK USA, LLC

Cheryl Butler, Attorney, Trademark Trial and Appeal Board:

On April 23, 2007, opposer moved for leave to amend the notice of opposition to plead ownership of its recently issued Registration No. 3201291 for the mark EYE STYLE (stylized form).[1] In its original notice of opposition, opposer pleads ownership of it Registration No. 2947252 for the mark EYE STYLE (standard character). Thus, applicant is on notice of opposer's reliance on its ownership of and rights in the EYE STYLE mark.

[1] Opposer's motion fails to indicate proof of service on applicant, as required by Trademark Rule 2.119.
In order to expedite this matter, a copy of the April 23, 2007 paper is forwarded herewith to applicant's counsel. Notwithstanding, strict compliance with Trademark Rule 2.119 is required by opposer in all future papers filed with the Board.

The Board liberally grants leave to amend the pleadings at any stage when so requires, including an amendment to add a claim based on a registration issued to or acquired by plaintiff after the filing date of the original complaint. *See* TBMP §507.02 (2d ed. rev. 2004).

In view thereof, opposer's motion for leave to amend the notice of opposition is granted. Applicant is allowed until **thirty days** from the mailing date of this order in which to file its amended answer.

Opposer's request to suspend proceedings is denied and dates remain as set in the order dated October 10, 2006. ***Such dates are copied on the next page***.

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.l25.

Briefs shall be filed in accordance with Trademark Rules 2.l28(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.l29.

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PROCEEDINGS RESUME:	April 10, 2007
THE PERIOD FOR DISCOVERY TO CLOSE:	July 10, 2007
30-day testimony period for party in position of plaintiff in the opposition to close:	October 8, 2007
30-day testimony period for party in position of defendant in the opposition and plaintiff in the counterclaim to close:	December 7, 2007
30-day rebuttal testimony period for plaintiff in the opposition and defendant in the counterclaim to close:	February 5, 2008
15-day rebuttal testimony period for plaintiff in the counterclaim to close:	March 21, 2008

Briefs shall be due as follows: [See Trademark Rule 2.128(a)(2)].

Brief for plaintiff in the opposition shall be due:	May 20, 2008
Brief for defendant in the opposition and plaintiff in the counterclaim shall be due:	June 19, 2008
Brief for defendant in the counterclaim and reply brief, if any, for plaintiff in the opposition shall be due:	July 19, 2008
Reply brief, if any, for plaintiff in the counterclaim shall be due:	August 3, 2008

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