

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

Mailed: June 15, 2006

Opposition No. 91170235

INVACARE CORPORATION

v.

PATIENT CARE SOLUTIONS, INC.

Tina Craven, Paralegal Specialist:

Applicant's consented motions (filed May 12, 2006 and June 1, 2006) to extend discovery and testimony periods are noted.¹

Because the parties are negotiating for a possible settlement of this case, proceedings herein are suspended until **six months** from the mailing date of this action, subject to the right of either party to request resumption at any time. See Trademark Rule 2.117(c).

In the event that there is no word from either party concerning the progress of their negotiations, upon conclusion of the suspension period, proceedings shall

¹Applicant's motions (filed May 11, 2006 and June 1, 2006) fails to indicate proof of service on opposer, as required by Trademark Rule 2.119. In order to expedite this matter, a copy of these papers are forwarded herewith to opposer's counsel. Notwithstanding, strict compliance with Trademark Rule 2.119 is required by applicant in all future papers filed with the Board.

resume without further notice or order from the Board, upon the schedule set out below.

Applicant is allowed **THIRTY DAYS** from resumption in which to answer the notice of opposition. The parties are allowed the same **THIRTY DAYS** in which to serve responses to any outstanding discovery requests. Trial dates, including the close of discovery, are reset as follows:

Proceedings resume:	December 15, 2006
Discovery period to close:	March 15, 2007
Thirty-day testimony period for party in position of plaintiff to close:	June 13, 2007
Thirty-day testimony period for party in position of defendant to close:	August 12, 2007
Fifteen-day rebuttal testimony period to close:	September 26, 2007

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

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.