

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

Mailed: April 18, 2009

Opposition No. 91187553

Aldi Inc.

v.

Leehar Distributors, Inc.

Karl Kochersperger, Paralegal

Applicant's consented motion to continue suspension filed April 10, 2009 is noted. Because the parties are negotiating for a possible settlement of this case, proceedings herein are suspended until April 20, 2009, 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 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. Conferencing, disclosure, discovery and trial dates are reset as follows:

Proceedings resume  
Time to Answer

4/20/09  
5/20/09

Deadline for Discovery Conference	6/19/09
Discovery Opens	6/19/09
Initial Disclosures Due	7/19/09
Expert Disclosures Due	11/16/09
Discovery Closes	12/16/09
Plaintiff's Pretrial Disclosures	1/30/10
Plaintiff's 30-Day Trial Period Ends	3/16/10
Defendant's Pretrial Disclosures	3/31/10
Defendant's 30-Day Trial Period Ends	5/15/10
Plaintiff's Rebuttal Disclosures	5/30/10
Plaintiff's 15-Day Rebuttal Period Ends	6/29/10

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.