

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

Mailed: March 17, 2010

Opposition No. 91191003

Itility, L.L.C.

v.

DynaSis Integrated Systems
Corp.

Ann Linnehan, Interlocutory Attorney

The Board's order of February 22, 2010, is hereby vacated to the extent that applicant's January 29, 2010 motion for leave to file late responses to opposer's discovery requests is not granted as conceded. A review of the Board's records indicates that opposer timely filed a brief in opposition to applicant's motion. Such brief was only associated with the file after the Board's February 22, 2010 order issued. Therefore, the Board will not grant the motion as conceded, but will consider it on the merits.

Applicant has **fifteen days** from the date of this order to file a brief in reply to its motion for leave to file late responses to opposer's discovery requests.

Consideration of the motion for leave and of opposer's January 29, 2010 motion for summary judgment is deferred.¹

¹ At this time, opposer should not file a brief in reply to its motion for summary judgment until the Board directs otherwise.

Proceedings remain otherwise suspended.