

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

wbc

Mailed: March 1, 2013

Opposition No. 91200223

Flame & Wax, Inc.

v.

Laguna Candles

Andrew P. Baxley, Interlocutory Attorney:

On February 26, 2013, the Board conducted a telephone conference to resolve the merits of the pending motions in this case. Participating in the conference were Eric Goodman, counsel for opposer; Kevin Welch, counsel for applicant; and interlocutory attorneys, Andrew P. Baxley and Wendy Boldt Cohen.

During the conference, opposer withdrew its opposition to applicant's motion (filed January 15, 2013) to extend its testimony period. Accordingly, that motion is granted as conceded. The parties agreed to extend the closing date of applicant's testimony period to **February 26, 2013**.¹ In view of the foregoing, applicant's motion (filed February 18, 2013) for leave to file an amended notice of reliance is granted to the

¹ Applicant's motion (filed February 19, 2013) to reopen its testimony period is moot.

extent that applicant's amended notice of reliance is timely filed.

During the conference, opposer withdrew the motions to strike that it filed on January 30, 2013. Accordingly, those motions will receive no consideration.

Remaining testimony periods are reset as follows:

Plaintiff's Rebuttal Disclosures Due	3/13/2013
Plaintiff's 15-day Rebuttal Period Ends	4/12/2013

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