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UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

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MAILED

MAR 10 2002

FBI & I.M. OFFICE

Cancellation No. 25,346

Havana Club Holding, S.A.

v.

Compania De Licores
Internacionales, Inc.

Albert Zervas, Interlocutory Attorney

On July 27, 2001, the Board allowed the parties time to inform the Board how they wished to proceed in this cancellation proceeding in view of the Federal Court decisions in the civil action which occasioned the suspension of this proceeding. The Board advised that if the Board did not receive a response from either party, proceedings would be resumed and appropriate dates would be reset.

The Board has not received a response to the Board's July 27, 2001 order.

Thus, proceedings are resumed, the discovery period is reopened but only with respect to the counterclaims, and petitioner and counterclaim defendant, Havana Club Holding, S.A., is allowed until **THIRTY DAYS** from the mailing date of

this order to file an answer to the counterclaim. See Trademark Rules 2.114(b)(2)(iii) and 2.121(b)(2). Also, petitioner is allowed until **thirty days** from the mailing date of this order to respond to respondent's amended first set of interrogatories (with no extensions therefore allowed).

Discovery and trial dates are reset as follows:

**THE PERIOD FOR DISCOVERY ON
THE COUNTERCLAIMS ONLY TO CLOSE:** June 15, 2003

30-day testimony period for party in position of plaintiff to close: September 13, 2003

30-day testimony period for party in position of defendant in the opposition and plaintiff in the counterclaim to close: November 12, 2003

30-day rebuttal testimony period for defendant in the counterclaim and plaintiff in the opposition to close: January 11, 2003

15-day rebuttal testimony period for plaintiff in the counterclaim to close: February 25, 2004

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

Brief for plaintiff in the opposition shall be due: April 25, 2004

Brief for defendant in the opposition and plaintiff in the counterclaim shall be due: May 25, 2004

Brief for defendant in the counterclaim and reply brief, if any, for plaintiff in the opposition shall be due: June 24, 2004

Reply brief, if any, for plaintiff in the counterclaim shall be due: July 9, 2004

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.