

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Mailed: August 26, 2004

Opposition No. 92040103

MAG INSTRUMENT, INC.

v.

MAGASCHONI APPAREL GROUP,

INC.

**Denise M. DelGizzi, Paralegal Specialist**

The suspension period having expired with no word from either party concerning the status of their negotiations, it is concluded that efforts to reach an amicable settlement in this case have been unsuccessful.

Accordingly, proceedings herein are resumed and trial dates, including the close of discovery, are reset as follows:

THE PERIOD FOR DISCOVERY TO CLOSE: **November 26, 2004**

30-day testimony period for party  
in position of plaintiff to close: **February 24, 2005**

30-day testimony period for party  
in position of defendant to close: **April 25, 2005**

15-day rebuttal testimony period  
to close: **June 9, 2005**

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.