

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

Mailed: April 27, 2005

Cancellation No. 92041012

LA TAPATIA NORCAL, INC.

v.

LA TAPATIA TORTILLERIA, INC.

Cindy B. Greenbaum, Attorney:

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 respondent is allowed until thirty days from the mailing date of this order to file an answer to the petition to cancel.

Discovery is open and the close of discovery and trial dates are set as follows:

DISCOVERY PERIOD TO CLOSE:	July 30, 2005
Thirty-day testimony period for party in position of plaintiff to close:	October 28, 2005
Thirty-day testimony period for party in position of defendant to close:	December 27, 2005
Fifteen-day rebuttal testimony period to close:	February 10, 2006

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.