

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

cv

Mailed: June 9, 2004

Cancellation No. 92041018

LANGER, INC.

v.

REFAELY AND SONS INC.

**Clara Vela, Paralegal Specialist**

Defendant's consented motion filed May 26, 2004 to extend time to file an answer and to reset discovery and trial dates is noted and granted.

In view thereof, defendant is allowed until June 29, 2004 to file an answer to the petition to cancel. Discovery and trial dates are reset in accordance with defendant's motion as indicated below:<sup>1</sup>

THE PERIOD FOR DISCOVERY TO CLOSE: December 19, 2004

Testimony period for party in  
position of plaintiff to close: March 19, 2005  
(opening thirty days prior thereto)

Testimony period for party in  
position of defendant to close: May 18, 2005  
(opening thirty days prior thereto)

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<sup>1</sup> However, in the future, consented motions to extend discovery and/or testimony periods should comply with the requirement of Trademark Rule 2.121(d). That rule requires that stipulated or consented motions to extend those time periods be presented in the form used in a trial order.

Cancellation No. 92041018

Rebuttal testimony period to close July 2, 2005  
(opening fifteen days prior thereto)

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.