

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

Mailed: December 13, 2006

Cancellation No. 92041801

SAFEWAY INC.

v.

PROMOTION IN MOTION, INC.

Angela Campbell, 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: March 14, 2007

30-day testimony period for party
in position of plaintiff to close: June 12, 2007

30-day testimony period for party
in position of defendant to close: 8/11/2007

15-day rebuttal testimony period to close: 9/25/2007

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.