

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

Mailed: October 21, 2005

Cancellation No. 92044046

Agrigenic Food Corporation

v.

NATURE'S WAY PRODUCTS, INC.

Vionette Baez, Paralegal Specialist

Registrant's October 14, 2005 consented motion to suspend of proceedings is hereby granted.

Because the parties are negotiating for a possible settlement of this case, proceedings herein are **suspended** until six months from the mailing date of this action, subject to the right of either party to request resumption at any time. See Trademark Rule 2.117(c).

In the event that there is no word from either party concerning the progress of their negotiations, upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board, upon the schedule set out below.

Trial dates, including the close of discovery, are reset as follows:

Proceedings resume: **April 20, 2006**

Discovery period to close: **July 19, 2006**

Thirty-day testimony period for party in position of plaintiff to close: **October 17, 2006**

Thirty-day testimony period for party in position of defendant to close: **December 16, 2006**

Fifteen-day rebuttal testimony period to close: **January 30, 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.

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.
