

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

Tyson

Mailed: July 13, 2006

Cancellation No. 92045367

CBI DISTRIBUTING CORP.

v.

Claire Fabrics (1996),
Inc.

Monique Tyson, Paralegal Specialist:

Registrant's response dated May 22, 2006, to the Board's order to show cause is noted.

On May 9, 2006, the Board issued an order to show cause for registrant's failure to file an answer or a motion to extend time to file an answer. In response, the registrant has submitted a motion to extend time to file an answer to the petition to cancel.

In view thereof, the order to show cause why default should not be entered is hereby discharged and the notice of default is set aside.

Additionally, registrant's motion filed to extend time to file its answer to the petition to cancel is granted as conceded.

Accordingly, answer is due August 12, 2006.

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In view thereof, the discovery and trial dates are reset in accordance with registrant's motion as indicated below:

THE PERIOD FOR DISCOVERY TO CLOSE: November 12, 2006

Testimony period for party in position of plaintiff to close: February 10, 2007
(opening thirty days prior thereto)

Testimony period for party in position of defendant to close: April 11, 2007
(opening thirty days prior thereto)

Rebuttal testimony period to close May 26, 2007
(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.