

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

Baxley

Mailed: November 15, 2006

Cancellation No. 92046141

Kohler Co. (substituted for  
Matthew A. Griffin as party  
plaintiff)

v.

I. W. Industries, Inc.

**Andrew P. Baxley, Interlocutory Attorney:**

Kohler Co.'s motion (filed September 13, 2006) to be substituted for Matthew A. Griffin as party plaintiff herein is hereby granted as conceded. See Trademark Rule 2.127(a). Kohler Co. is hereby substituted for Mr. Griffin as the party plaintiff herein.

Proceedings herein are resumed. Respondent is allowed until thirty days from the mailing date set forth in the caption of this order to file an answer. Discovery and testimony periods are reset as follows.

DISCOVERY PERIOD TO CLOSE: **4/20/07**

Plaintiff's 30-day testimony period to close: **7/19/07**

Defendant's 30-day testimony period to close: **9/17/07**

Plaintiff's 15-day rebuttal testimony period to close: **11/1/07**

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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.