

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

dab

Mailed: November 7, 2006

Cancellation No. 92046521

AMERICAN GENERIC
LABORATORIES, LLC

v.

Bill's Wholesale, Inc.

DWAYNE BOWLING, LEAD LEGAL ASSISTANT:

The Board inadvertently forwarded the notice instituting this proceeding and a copy of the petition to cancel that was intended for registrant to an incorrect address. The error is regretted.

Accordingly, the above notice, with enclosure, is remailed to registrant at the correct address: **BILL'S WHOLESALE, INC., 1301 NORTH SLAPPEY BOULEVARD, ALBANY, GEORGIA 31701.**

If there has been any transfer of interest in the involved registration, registrant must so advise the Board and registrant must submit copies of the appropriate documents. See Section 10 of the Trademark Act and Patent and Trademark Rules 3.71 and 3.73.

In view of the circumstances herein, the time for filing an answer to the petition to cancel is extended to forty days from the mailing date of this order. Any discovery requests or notices served that remain unanswered as of the mailing date of this order must be reserved in accordance with the rules, unless otherwise agreed to by the parties.

In accordance with the Trademark Rules of Practice, discovery is open, and the close of discovery and testimony dates are set as indicated below. 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.

Discovery period to close: May 26, 2007

30-day testimony period for party
in position of plaintiff to close: August 24, 2007

30-day testimony period for party
in position of defendant to close: October 23, 2007

15-day rebuttal testimony period to close: Dec 7, 2007

Briefs shall be filed in accordance with Trademark Rule 1.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

