

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

Baxley

Mailed: January 19, 2008

Cancellation No. 92048207

Nipro Corporation

v.

Black Tie Medical, Inc.
(substituted for JMJ
Development Co., Inc. as party
defendant)

Andrew P. Baxley, Interlocutory Attorney:

A document reflecting the assignment of involved Registration No. 2499251 from JMJ Development Co., Inc. to Tulip Medical, Inc. is recorded with the USPTO's Assignment Branch at Reel 3694, Frame 0151. A document reflecting the assignment of the involved registration from Tulip Medical, Inc. to Black Tie Medical, Inc. ("Black Tie") is recorded with the Assignment Branch at Reel 3694, Frame 0155.

Inasmuch as the documents in question were executed prior to the commencement of this proceeding, Black Tie is hereby substituted as the respondent and party defendant herein. See TBMP Section 512.01 (2d ed. rev. 2004).

In view of the entry of appearance by Black Tie's attorney, proceedings herein are resumed. Black Tie is allowed until thirty days from the mailing date set forth in

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the caption of this order to file an answer or other response to the petition to cancel. Discovery and testimony periods are reset as follows.

DISCOVERY PERIOD TO CLOSE: May 27, 2008

Plaintiff's 30-day testimony period to close: August 25, 2008

Defendant's 30-day testimony period to close: October 24, 2008

Plaintiff's 15-day rebuttal testimony period to close: December 8, 2008

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.