

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

Mailed: July 29, 2009

Cancellation No. 92051039

SWIMC, Inc.

v.

Professional Coatings, Inc.

Clara Vela, Paralegal Specialist

On July 9, 2009, the Board issued an order and remailed the notice instituting this proceeding and a copy of the petition to cancel that were forwarded to registrant but were returned by the Postal Service as undeliverable on June 16, 2009. Subsequently, respondent filed on July 10, 2009 and July 22, 2009 consented requests to extend time to file its answer. It appears that these communications were crossed in the mail and counsel for defendant was not aware that a new date for filing an answer was set out in the remailed institution order.

Accordingly, defendant is allowed until August 18, 2009 in which to file its answer to the petition to cancel. Trial dates remain as reset in the Board's July 9, 2009 order. The consented motions filed by defendant on July 10, 2009 and July 22, 2009 are considered moot.

