

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

Mailed: December 22, 2017

Opposition No. 91229106

Recommind, Inc.

v.

Maura Grossman and Gordon V. Cormack

Ellen Yowell, Paralegal Specialist:

Applicant's consented motion, filed December 18, 2017, to suspend this proceeding for 60 days is granted for good cause shown, as modified below.

The parties are reminded that any future motion to extend or suspend must be accompanied by a detailed report. The report must set forth what progress the parties have made towards settlement during the previous period of suspension or extension. Absent such a report, any future motion to extend or suspend may not be approved, even though agreed to by the parties.

Because the parties are negotiating for a possible settlement of this case, proceedings are suspended in accordance with the motion, subject to the right of either party to request resumption at any time. *See* Trademark Rules 2.117(c) and 2.127(a); TBMP § 605.02.

If, during the suspension period, either of the parties or their attorneys have a change of address or email address, the Board should be so informed.¹ *See* Trademark Rule 2.18(b)(1).

In the event that there is no word from either party concerning the progress of their negotiations, proceedings shall resume without further notice or order from the Board upon the schedule set forth below.

Time to Answer	2/26/2018
Deadline for Discovery Conference	3/28/2018
Discovery Opens	3/28/2018
Initial Disclosures Due	4/27/2018
Expert Disclosures Due	8/25/2018
Discovery Closes	9/24/2018
Plaintiff's Pretrial Disclosures Due	11/8/2018
Plaintiff's 30-day Trial Period Ends	12/23/2018
Defendant's Pretrial Disclosures Due	1/7/2019
Defendant's 30-day Trial Period Ends	2/21/2019
Plaintiff's Rebuttal Disclosures Due	3/8/2019
Plaintiff's 15-day Rebuttal Period Ends	4/7/2019
Plaintiff's Opening Brief Due	6/6/2019
Defendant's Brief Due	7/6/2019
Plaintiff's Reply Brief Due	7/21/2019
Request for Oral Hearing (optional) Due	7/31/2019

An answer must be filed through ESTTA, the Board's Electronic System for Trademark Trials and Appeals. *See* Trademark Rule 2.106(b)(1).

Generally, the Federal Rules of Evidence apply to Board trials. Trial testimony is taken and introduced out of the presence of the Board during the assigned testimony periods. The parties may stipulate to a wide variety of matters, and many requirements relevant to the trial phase of Board proceedings are set forth in Trademark

¹ If the parties are (or during the pendency of this proceeding become) parties to another proceeding involving the subject application/registration, the parties must notify the Board so the Board can consider whether consolidation or suspension of proceedings is appropriate.

Rules 2.121 through 2.125. These include pretrial disclosures, the manner and timing of taking testimony, matters in evidence, and the procedures for submitting and serving testimony and other evidence, including affidavits, declarations, deposition transcripts and stipulated evidence. Trial briefs shall be submitted in accordance with Trademark Rules 2.128(a) and (b). Oral argument at final hearing will be scheduled only upon the timely submission of a separate notice as allowed by Trademark Rule 2.129(a).