

Wolfson

UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD
2900 Crystal Drive
Arlington, Virginia 22202-3513

Opposition No. 123,817

AO.Com, LLC

v.

A&E Television Networks

APPLICANT'S MOTION TO STRIKE GRANTED; TRIAL DATES RESET

On November 2, 2001, applicant filed a motion to strike paragraph 8 of the notice of opposition. Office records indicate no response thereto. When a party fails to file a brief in response to a motion, the Board may treat the motion as conceded. See 37 CFR §2.127(a), and TBMP §502.03. In view thereof, the motion is treated as conceded and paragraph 8 of the notice of opposition is hereby stricken.

Applicant's answer included a counterclaim for cancellation of the pleaded registration. In order to accommodate the counterclaim, the trial schedule is reset as follows:

THE PERIOD FOR DISCOVERY TO CLOSE: April 30, 2002

Testimony period for
plaintiff in the opposition to close: (opening thirty days
prior thereto) July 29, 2002

Testimony period for defendant in the opposition
and as plaintiff in the counterclaim to close: September 27, 2002
(opening thirty days prior thereto)

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Testimony period for defendant in the counterclaim
and its rebuttal testimony as plaintiff in the
opposition to close: November 26, 2002
(opening thirty days prior thereto)

Rebuttal testimony period for plaintiff in the
counterclaim to close: January 10, 2003
(opening fifteen days prior thereto)

Briefs shall be due as follows:
[See Trademark rule 2.128(a)(2)].

Brief for plaintiff in the opposition shall be due: March 11, 2003

Brief for defendant in the opposition and as
plaintiff in the counterclaim shall be due: April 10, 2003

Brief for defendant in the counterclaim and its reply
brief (if any) as plaintiff in the opposition
shall be due: May 10, 2003

Reply brief (if any) for plaintiff in the
counterclaim shall be due: May 25, 2003

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.

An oral hearing will be set only upon request filed as
provided by Trademark Rule 2.129.

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4/30/02