

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

Mailed: April 18, 2007

Opposition No. 91156321

The Chamber of Commerce of the
United States of America

v.

United States Hispanic Chamber
of Commerce Foundation

Linda Skoro, Interlocutory Attorney

On March 15, 2007, the Board denied applicant's motion to compel discovery, finding that applicant had not made the requisite good faith effort to resolve the discovery dispute, and further that opposer's discovery responses were sufficient. Applicant has filed a timely request for reconsideration to which opposer has objected.

Motions for reconsideration, as set forth in 37 C.F.R. § 2.127(b), provide an opportunity for a party to point out any error the Board may have made in considering the matter initially. It is not to be a reargument of the points presented in its original motion. In this case, applicant continues to argue that it is prejudiced by opposer's failure to supplement its discovery responses.

Upon careful consideration of applicant's arguments on reconsideration, we are not persuaded that there was any

error in our decision. Applicant appears to misunderstand its burden in a motion to compel. Opposer stated its objections to certain discovery requests. Applicant disagreed with those objections, but did not inform opposer as to why it disagreed with opposer's objections. It is not opposer's burden to justify its objections if applicant has not stated grounds why it challenges the objections. Generally the Board looks for the parties' good faith effort to work out any discovery disputes through an exchange of correspondence designed to resolve the disagreement. That clearly was not present before the motion to compel was filed.

Accordingly, the request for reconsideration is denied. The parties' consented motion to reset dates, filed April 16, 2007, is hereby granted. Dates are set as provided in that motion.

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