

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

Mailed: January 14, 2008

Opposition No. 91160944

Red Bull GMBH

v.

Tequila Cuervo La Rojena, S.A.  
De C.V.

George C. Pologeorgis, Interlocutory Attorney:

Opposer's consented motions (filed December 4, 2007) to extend time to file its answer to the counterclaim and to extend discovery and trial dates are granted. Trademark Rule 2.127(a).

Answer to the counterclaim is due **February 2, 2008**.

Trial dates, as well as the close of discovery, are reset as follows:

**DISCOVERY TO CLOSE:** **March 3, 2008**

30-day testimony period for party  
in position of plaintiff in the  
opposition to close: **June 1, 2008**

30-day testimony period for party  
in position of defendant in  
the opposition and plaintiff in  
the counterclaim to close: **July 31, 2008**

Opposition No. 91160944

30-day rebuttal testimony period  
for plaintiff in the opposition and  
defendant in the counterclaim  
to close:

**September 29, 2008**

15-day rebuttal testimony period for  
plaintiff in the counterclaim to  
close:

**November 13, 2008**

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

Brief for plaintiff in the  
opposition shall be due:

**January 12, 2009**

Brief for defendant in the  
opposition and plaintiff in  
the counterclaim shall be due:

**February 11, 2009**

Brief for defendant in the  
counterclaim and reply brief,  
if any, for plaintiff in the  
opposition shall be due:

**March 13, 2009**

Reply brief, if any, for  
plaintiff in the counterclaim  
shall be due:

**March 28, 2009**

**No further requests for extension of time or  
suspension, even though consented to by the parties, will be  
entertained by the Board.**

**NEWS FROM THE TTAB:**

The USPTO published a notice of final rulemaking in the Federal Register on August 1, 2007, at 72 F.R. 42242. By this notice, various rules governing Trademark Trial and Appeal Board inter partes proceedings are amended. Certain amendments have an effective date of August 31, 2007, while most have an effective date of November 1, 2007. For further information, the parties are referred to a reprint of the final rule and a chart summarizing the affected

rules, their changes, and effective dates, both viewable on the USPTO website via these web addresses:

<http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf>

[http://www.uspto.gov/web/offices/com/sol/notices/72fr42242\\_FinalRuleChart.pdf](http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf)

By one rule change effective August 31, 2007, the Board's standard protective order is made applicable to all TTAB inter partes cases, whether already pending or commenced on or after that date. However, as explained in the final rule and chart, this change will not affect any case in which any protective order has already been approved or imposed by the Board. Further, as explained in the final rule, parties are free to agree to a substitute protective order or to supplement or amend the standard order even after August 31, 2007, subject to Board approval. The standard protective order can be viewed using the following web address:

<http://www.uspto.gov/web/offices/dcom/ttab/tbmp/stndagmnt.htm>