

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

gcp

Mailed: April 14, 2011

Opposition No. 91161954

Opposition No. 91161955

Pabst Brewing Company

v.

Lone Star Steakhouse &
Saloon, Inc. and LSFS Cactus
LLC (joined as party
defendant)

By the Trademark Trial and Appeal Board:

On March 31, 2009, opposer filed a motion to reopen discovery and testimony in these consolidated proceedings. On April 30, 2009, applicant filed a communication with the Board joining in opposer's request to reopen discovery and testimony, or alternatively, extending time for applicant to file its brief in this case.

Accordingly, discovery and trial dates in these consolidated proceedings are reopened and reset as set forth below:

DISCOVERY PERIOD TO CLOSE: 8/12/2011

Testimony period for party in position of
plaintiff **11/10/2011**
to close: (opening thirty days prior thereto)

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Testimony period for party in position of
defendant

1/9/2012

to close:(opening thirty days prior thereto)

Rebuttal testimony period to close:

2/23/2012

(opening fifteen days prior thereto)

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 taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

As a final matter, the Board notes that opposer filed various notices of reliance on March 9, 2009, March 30, 2009, and March 31, 2009 outside of its testimony period as previously reset. To the extent opposer wishes to rely on such notices of reliance, opposer should re-file these notices of reliance within its designated testimony period as reset by this order since the previous filings were untimely. Further, the Board notes that opposer filed its main brief on the merits on April 2, 2009 and a supplemental brief on April 14, 2009. In light of this order, these briefs will be given no further consideration. Once discovery and testimony has been completed in these consolidated proceedings within the schedule set forth herein, the parties may file their

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respective final briefs pursuant to Trademark Rules 2.128(a)
and (b).