

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

Mailed: September 28, 2007

Opposition No. 91162705

Sherwood Services AG

v.

Erbe Elektromedizin GmbH

Janice D. Hyman, Paralegal Specialist:

Opposer filed, on September 5, 2007, two separate copies of its consented motion to extend discovery and trial dates. The motions are noted.

Inasmuch as a report on the progress of the parties settlement discussions have been provided as required in the Board's order of December 6, 2006, the request is hereby granted. Trademark Rule 2.127(a).

The discovery and trial dates are reset in accordance with opposer's motion.

In order to avoid undue delay to the progress of this proceeding, the parties are advised that if another extension or suspension is required after this period expires, the parties will be expected to report on the

progress of their settlement discussions to establish good cause for any further motion to extend or suspend.

This report should include: a recitation of issues that have been resolved, issues that remain to be resolved, and a firm timetable for resolution. **Absent such a report, any future motion to extend or suspend may not be approved, even though agreed to by the parties.**

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

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>