

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

nmt

Mailed: June 4, 2009

Opposition No. 91174072

Color Image Apparel, Inc.

v.

Rocawear Licensing LLC

Nicole M. Thier, Paralegal Specialist

Opposer's consented motion filed June 4, 2009 to extend testimony periods is noted. Trademark Rule 2.127(a).

The parties are reminded that in the Board's January 12, 2009 order they were informed that no further extensions or suspensions would be granted in absence of a detailed report informing the Board on the progress of their settlement negotiations. Such a report must include a recitation of issues that have been resolved, issues that remain to be resolved and a firm timetable for resolution. Failing which, any future motion to extend or suspend, even though agreed to by the parties, may not be approved.

In view thereof, opposer's motion is **denied without prejudice**. Trial dates remain as set in the Board's January 12, 2009 order.

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>