

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

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Mailed: May 28, 2009

Opposition No. 91175319

Intuitive Surgical, Inc.

v.

DaVinci Radiology Associates,
P.L.

Linda Skoro, Interlocutory Attorney

Opposer's motion filed May 18, 2009 to extend its rebuttal period and applicant's opposition to opposer's motion are noted. In that additional time is needed to schedule the oral deposition of Mr. Gong and the limited extension will not cause any foreseeable prejudice to applicant, for good cause shown, opposer's motion is hereby granted. Trademark Rule 2.128.

Opposer's rebuttal period as well as remaining dates are reset as indicated below.

CLOSE OF REBUTTAL PERIOD	June 8, 2009
PLAINTIFF'S BRIEF DUE	August 7, 2009
DEFENDANT'S BRIEF DUE	September 6, 2009
PLAINTIFF'S REPLY BRIEF DUE	September 21, 2009

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>