

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

Mailed: October 26, 2010

Opposition No. 91177036

Nationstar Mortgage LLC

v.

Mujahid Ahmad

**Robert H. Coggins,
Interlocutory Attorney:**

On October 22, 2010, the parties jointly telephoned the Board to discuss a procedural issue relating to opposer's motion (filed October 19, 2010) "for leave to present expert testimony in rebuttal period."¹ Applicant indicated that it did not consent to the motion and was preparing a written brief in opposition thereto.

Suspension

Because of the timing allowed under Trademark Rule 2.127(a) for briefing on the outstanding motion, the time and expense contemplated in scheduling and deposing the potential expert witness, and the approaching close of

¹ Participating in the telephone call were Bruce A. McDonald, counsel for opposer; Patrick I. Rea, counsel for applicant; and the above-referenced Board attorney responsible for resolving interlocutory matters in this case.

opposer's rebuttal testimony period (currently set for November 6, 2010²), the Board suspended proceedings related to the use of an expert as raised in the pending motion. That is, suspension relates solely to the use of opposer's expert but not for any other purpose. For all other purposes, opposer's rebuttal period will end November 6, 2010.

The outstanding motion will be decided in due course. As the Board has previously done in this proceeding, the Board may exercise its discretion to determine the merits of the outstanding motion in a phone conference with the parties.

² Inasmuch as November 6, 2010 is a Saturday, Trademark Rule 2.196 applies. Accordingly, opposer's testimony period effectively ends November 8, 2010.