

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

TDC

Mailed: May 14, 2008

Opposition No. 91180232

NKOTB, Inc.

v.

SM Productions

Linda Skoro, Interlocutory Attorney

On April 14, 2008, applicant was allowed thirty days to appoint new counsel, or to file a paper stating that applicant chooses to represent itself.

On May 12, 2008, applicant filed a response indicating that it chooses to represent itself.

In view thereof, proceedings herein are resumed and discovery and trial dates are reset as indicated below:

| | |
|---|--------------------------|
| DISCOVERY PERIOD TO CLOSE: | August 11, 2008 |
| 30-day testimony period for party in position of defendant to close: | November 9, 2008 |
| 30-day testimony period for party in position of defendant to close: | January 8, 2009 |
| 15-day rebuttal testimony period to close: | February 22, 2009 |

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 Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

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>