

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

Mailed: May 15, 2008

Opposition No. 91180742
Cancellation No. 92048446

Dr Pepper/Seven Up, Inc.

v.

Krush Global Limited

Clara Vela, Paralegal Specialist

Applicant's consented motion filed March 26, 2008 to extend discovery and trial dates is noted. See Trademark Rule 2.127(a).

The parties are reminded that since new rules apply, they should no longer rely upon that format for any future extension requests in cases filed on or after November 1, 2007. As a reminder, recent amendments to the Trademark Rules, promulgated under the *Notice of Final Rulemaking*, 72 Fed. Reg. 42242, require different trial scheduling in proceedings commenced on or after November 1, 2007.

In view of the consent between the parties, applicant's motion is hereby granted. Trial dates, disclosure and discovery dates, are reset as indicated below:

Expert Disclosures Due	7/12/2008
Discovery Closes	8/11/2008
Plaintiff's Pretrial Disclosures	9/25/2008
Plaintiff's 30-day Trial Period Ends	11/9/2008

Defendant's Pretrial Disclosures	11/24/2008
Defendant's 30-day Trial Period Ends	1/8/2009
Plaintiff's Rebuttal Disclosures	1/23/2009
Plaintiff's 15-day Rebuttal Period Ends	2/22/2009

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>