

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

EJW
23, 2008

Mailed: July

Opposition No. 91182730
Opposition No. 91181746
Opposition No. 91181994

The Federation Of The Swiss
Watch Industry

v.

First SBF Holding, Inc.

Elizabeth J. Winter, Interlocutory Attorney:

These cases now come up on opposer's consented motion, filed May 8, 2008 in Opposition No. 91182730, to consolidate the above-captioned proceedings, viz. 91181746, 91181994 and 91182730. Answers to the notices of opposition and to applicant's counterclaims are of record in all three cases.

The Board has reviewed each case and agrees that consolidation is appropriate. Accordingly, opposer's motion to consolidate is granted and Opposition Nos. 91181746, 91181994 and 91182730 may be presented on the same records and briefs. The record will be maintained in Opposition No. **91182730** as the "parent" case, but all papers filed in these cases should include both proceeding numbers in ascending order. See Fed. R. Civ. P. 42(a); and TBMP § 511 (2d ed. rev. 2004).

Opposition Nos. 91181746, 91181994 and 91182730

The Board also notes that an order was issued by the Board in each proceeding on June 10, 2008, which extended the close of discovery sixty days, in accordance with opposer's consented motion therefor also filed on June 10, 2008. However, said motion did not address opposer's request for a sixty-day extension of time for the parties to complete their initial disclosures. Moreover, the order did not schedule relevant trial dates in connection with the pending counterclaims. In view thereof, the June 10, 2008 order is ***vacated*** to the extent that opposer's additional extension request was not addressed and the scheduling calendar set forth therein was incomplete.

Accordingly, opposer's motion for an extension of time for the parties to complete their initial disclosures is granted. Trademark Rule 2.127(a). The parties are allowed until August 8, 2008 to complete their initial disclosures under Trademark Rule 2.120(a)(3).

Disclosure and trial dates are reset as follows:

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|---|--------------------------|
| Initial Disclosures Due | August 8, 2008 |
| Expert Disclosures Due | December 6, 2008 |
| Discovery Closes | January 5, 2009 |
| Plaintiff's Pretrial Disclosures | February 19, 2009 |
| 30-day testimony period for plaintiff's testimony to close | April 5, 2009 |

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| Defendant/Counterclaim Plaintiff's Pretrial Disclosures | April 20, 2009 |
| 30-day testimony period for defendant and plaintiff in the counterclaim to close | June 4, 2009 |
| Counterclaim Defendant's and Plaintiff's Rebuttal Disclosures Due | June 19, 2009 |
| 30-day testimony period for defendant in the counterclaim and rebuttal testimony for plaintiff to close | August 3, 2009 |
| Counterclaim Plaintiff's Rebuttal Disclosures Due | August 18, 2009 |
| 15-day rebuttal period for plaintiff in the counterclaim to close | September 17, 2009 |
| Brief for plaintiff due | November 16, 2009 |
| Brief for defendant and plaintiff in the counterclaim due | December 16, 2009 |
| Brief for defendant in the counterclaim and reply brief, if any, for plaintiff due | January 15, 2010 |
| Reply brief, if any, for plaintiff in the counterclaim due | January 30, 2010 |

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 the taking of testimony. See Trademark Rule 2.125, 37 C.F.R. § 2.125.

Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b), 37 C.F.R. §§ 2.125(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129, 37 C.F.R. § 2.129.

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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>