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

Mailed: February 10, 2009

Opposition No. 91183877

Mr. Robbie Calvo

v.

Sheilah C. Griggs

George C. Pologeorgis, Interlocutory Attorney:

This case now comes up for consideration of (1) opposer's motion (filed January 22, 2009) to extend all deadlines in the proceeding, (2) opposer's motion (filed January 23, 2009) reset the time in which the parties must conduct their required discovery conference, and (3) applicant's motion (filed January 30, 2009) to dismiss this proceeding for failure to prosecute for failing to serve initial disclosures. All the aforementioned motions have been briefed by the parties.

The Board, in its discretion, suggested that the issues raised in the aforementioned motions should be resolved by telephonic conference as permitted by TBMP § 502.06 (2nd ed. rev. 2004). The Board contacted the parties to discuss the date and time for holding the phone conference.

The parties agreed to hold a telephone conference at 4:00 p.m. Eastern time on Tuesday, February 4, 2009. The conference was held as scheduled among Melissa M. Allen, as counsel for opposer, Edward D. Lanquist, as counsel for applicant, George C. Pologeorgis, as a Board attorney responsible for resolving interlocutory disputes in this case.

The Board carefully considered the arguments raised by the parties, as well as the supporting correspondence and the record of this case, in coming to a determination regarding the above matters. During the telephone conference, the Board made the following findings and determinations:

Opposer's Motion to Extend All Deadlines

Inasmuch as the Board inadvertently failed to reset the trial schedule in this case once applicant filed her answer on July 11, 2008 and in light of applicant's apparent lack of cooperation in responding to opposer's requests to schedule the parties' discovery conference during the time applicant represented herself *pro se*, opposer's January 22, 2009 motion to extend is **granted** to the extent set forth below. This proceeding's trial schedule is reset as set follows:

Deadline for Discovery Conference	**2/28/2009**
Discovery Opens	**2/28/2009**
Initial Disclosures Due	**3/30/2009**

Expert Disclosures Due	**7/28/2009**
Discovery Closes	**8/27/2009**
Plaintiff's Pretrial Disclosures	**10/11/2009**
Plaintiff's 30-day Trial Period Ends	**11/25/2009**
Defendant's Pretrial Disclosures	**12/10/2009**
Defendant's 30-day Trial Period Ends	**1/24/2010**
Plaintiff's Rebuttal Disclosures	**2/8/2010**
Plaintiff's 15-day Rebuttal Period Ends	**3/10/2010**

Opposer's Motion to Request Resetting of Discovery Conference Deadline

Opposer's January 23, 2009 motion to reset the deadline for the parties' discovery conference, construed by the Board as motion to compel the discovery conference, is **granted** to the extent that the parties are required to conduct a discovery conference by the deadline set forth in the above reset trial schedule for this case, i.e., **February 28, 2009**.

Applicant's Motion To Dismiss for Failure to Prosecute

In light of the Board's ruling herein regarding opposer's motions to extend and to reset the deadline for the parties' discovery conference, applicant's motion to dismiss is deemed moot and will be given no further consideration.

As a final matter, applicant's motion (filed June 11, 2008) to extend its time to file an answer is **granted** as conceded. *See* Trademark Rule 2.127(a). Applicant's answer filed on July 11, 2008 is noted and accepted.