

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

Baxley

Mailed: July 28, 2009

Opposition No. **91184456**

L'Oreal USA, Inc.

v.

Robert Victor Marcon

**Andrew P. Baxley, Interlocutory Attorney:**

On June 29, 2009, opposer filed a combined motion for leave to file an amended notice of opposition and to extend its testimony period. The motion for leave to amend is granted both as conceded and as well-taken, and the motion to extend is granted as conceded. See Fed. R. Civ. P. 6(b) and 15(a); Trademark Rule 2.127(a); TBMP Sections 507 and 509 (2d ed. rev. 2004).

The amended notice of opposition, which was filed concurrently with opposer's motion, is accepted as the operative complaint herein. Applicant is allowed until thirty days from the mailing date set forth in this order to file an answer to the amended notice of opposition.

Proceedings herein are resumed. The discovery period remains closed. Testimony periods are reset as follows.

Plaintiff's Pretrial Disclosures	9/10/09
Plaintiff's 30-day Trial Period Ends	10/25/09
Defendant's Pretrial Disclosures	11/9/09

Defendant's 30-day Trial Period Ends	<b>12/24/09</b>
Plaintiff's Rebuttal Disclosures	<b>1/8/10</b>
Plaintiff's 15-day Rebuttal Period Ends	<b>2/7/10</b>

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. Trademark Rule 2.125.

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

If either of the parties or their attorneys should have a change of address, the Board should be so informed promptly.