

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

Mailed: October 23, 2010

Opposition No. 91186650

Apple Inc.

v.

Vyro Games Ltd

Vionette Baez, Paralegal Specialist:

Defendant's October 14, 2010 motion to continue suspension for sixty days is noted. Because the parties are negotiating for possible settlement of this case. However, the Board's electronic system, ESTTA, failed to correctly reset disclosure, discovery and trial dates, accordingly.

In view thereof, applicant's October 14, 2010 motion to suspend is granted. Proceedings are suspended and will resume on December 24, 2010, without further notice from the Board.

The Board also notes that this proceeding has been pending for two years. In order to avoid undue delay to the progress of this proceeding, the parties will be expected to establish good cause for any further suspensions herein and to state the purpose of the proposed suspension. That is,

if the parties are engaged in settlement discussions, they should so inform the Board and provide an updated status of the progress of such discussions. In the event the parties fail to comply with the foregoing, any future suspension may not be approved, even though agreed to by the parties. Confidential information may be so designated and will be barred from public viewing.

Disclosure, discovery and trial dates are reset as follows.

Proceedings resume	12/25/2010
Initial Disclosures Due	1/24/2011
Expert Disclosures Due	4/24/2011
Discovery Closes	6/23/2011
Plaintiff's Pretrial Disclosures	8/7/2011
Plaintiff's 30-day Trial Period Ends	9/21/2011
Defendant's Pretrial Disclosures	10/6/2011
Defendant's 30-day Trial Period Ends	11/20/2011
Plaintiff's Rebuttal Disclosures	12/5/2011
Plaintiff's 15-day Rebuttal Period Ends	1/4/2012

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

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