

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

Mailed: February 11, 2011

Opposition No. 91190736

K-Swiss Inc.

v.

CFRI-NCA Palladium Venture,
L.L.C.

**George C. Pologeorgis,
Interlocutory Attorney:**

Opposer's consented motion (filed February 10, 2011) to maintain suspension of this proceeding for an additional six months so that the parties may continue with their settlement efforts is granted.

Accordingly, proceedings herein are suspended up to, and including, July 19, 2011, subject to the right of either party to request resumption at any time. See Trademark Rule 2.117(c).

In the event that there is no word from either party concerning the progress of their negotiations, upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board, upon the schedule set out below.

Proceedings resume:	July 20, 2011
Expert Disclosures Due ¹	8/19/2011
Discovery Closes	9/18/2011
Plaintiff's Pretrial Disclosures	11/2/2011
Plaintiff's 30-day Trial Period Ends	12/17/2011
Defendant's Pretrial Disclosures	1/1/2012
Defendant's 30-day Trial Period Ends	2/15/2012
Plaintiff's Rebuttal Disclosures	3/1/2012
Plaintiff's 15-day Rebuttal Period Ends	3/31/2012

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.

As a final matter, the Board notes that the parties have effected numerous stipulations to suspend this proceeding to accommodate the parties' settlement

¹ The proposed trial schedule, upon resumption, provided by opposer's consented motion to suspend resets the deadline for expert disclosures to occur during the requested suspension period. This order corrects opposer's miscalculated trial schedule.

negotiations for a lengthy period of time, yet no settlement has been reached. If the parties agree to another extension or suspension for settlement, they will be expected to report to the Board on the progress of their settlement negotiations. Such report **must** include a recitation of issues that have been resolved, **identification of the settlement activities which have occurred for each month of the six-month suspension period granted herein,**² issues that remain to be resolved, and a firm timetable for resolution. Absent such a report, any future motion to extend or suspend, even though agreed to by the parties, will not be granted.

² If no settlement activity has occurred for any month of suspension time granted herein, the parties must explain why no settlement activity has occurred.