

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

Mailed: August 27, 2009

Opposition No. 91191016

Intellectual Reserve, Inc.

v.

Kendal M. Sheets

**Janice D. Hyman, Paralegal Specialist:**

On August 24, 2009, applicant filed an answer to the opposition and a counterclaim to cancel opposer's pleaded registration(s). Applicant filed the proper fee.

The answer and counterclaim filed by applicant is noted. The Board notes that applicant failed to include proof of service of a copy of the answer and counterclaim on opposer, as required by Trademark Rule 2.119(a). To expedite matters, a copy of the answer and counterclaim is included with opposer's copy of this order. Each party is reminded of its obligation to send a service copy of any paper filed herein to the adverse party, and to include proof of service when the paper is filed with the Board.

Opposer and counterclaim defendant, Intellectual Reserve, Inc., is allowed until **THIRTY DAYS** from the mailing date of

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this order to file an answer to the counterclaim. See Trademark Rules 2.106(b)(2)(iii) and 2.121(b)(2).

In accordance with the Trademark Rules of Practice, conferencing, disclosure, discovery and testimony period dates are reset as indicated below. 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.

Answer to Counterclaim Due	September 26, 2009
Deadline for Discovery Conference	October 26, 2009
Discovery Opens	October 26, 2009
Initial Disclosures Due	November 25, 2009
Expert Disclosures Due	March 25, 2010
Discovery Closes	April 24, 2010
Plaintiff's Pretrial Disclosures	June 8, 2010
30-day testimony period for plaintiff's testimony to close	July 23, 2010
Defendant/Counterclaim Plaintiff's Pretrial Disclosures	August 7, 2010
30-day testimony period for defendant and plaintiff in the counterclaim to close	September 21, 2010
Counterclaim Defendant's and Plaintiff's Rebuttal Disclosures Due	October 6, 2010
30-day testimony period for defendant in the counterclaim and rebuttal testimony for plaintiff to close	November 20, 2010
Counterclaim Plaintiff's Rebuttal Disclosures Due	December 5, 2010
15-day rebuttal period for plaintiff in the counterclaim to close	January 4, 2011
Brief for plaintiff due	March 5, 2011
Brief for defendant and plaintiff in the counterclaim due	April 4, 2011

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Brief for defendant in the counterclaim  
and reply brief, if any, for plaintiff  
due May 4, 2011

Reply brief, if any, for plaintiff in the  
counterclaim due May 19, 2011

If the parties stipulate to any extension of these dates,  
the filing should set forth the dates in the format shown in  
this order. See Trademark Rule 2.121(d).

An oral hearing will be set only upon request filed as  
provided by Trademark Rule 2.129.