

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

Mailed: February 4, 2011

Opposition No. 91191371

ClearChoice Holdings, LLC

v.

Dale D. Goldschlag, D.D.S.,  
P.C.

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

Pursuant to Board procedure, opposer filed a notification on February 3, 2011 advising the Board that it will be employing an expert witness in this matter and that it has made the requisite expert disclosure upon applicant.

Inasmuch as opposer has now advised the Board of its intention of using an expert witness(es), proceedings herein are suspended for sixty (60) days from the mailing date of this order for the sole purpose of affording applicant the opportunity to take discovery limited to opposer's designated expert witness(es). Moreover, if applicant retains an expert for rebuttal purposes only, applicant must notify the Board of its intention of using a rebuttal expert witness, as well as provide opposer with the appropriate requisite rebuttal expert disclosure including the submission of the rebuttal expert's

report, within the same sixty-day time period set forth above. In the event applicant does retain a rebuttal expert witness, opposer will be entitled to take limited discovery of applicant's rebuttal expert witness within the same sixty days provided above. To the extent either party requires an extension of the suspension period to complete the discovery permitted above, such party may file a motion to extend the suspension period.

If all discovery regarding designated expert witness(es) is completed prior to the conclusion of the sixty-day suspension, the parties must notify the Board so that the Board may reset the remaining time in discovery, as well as reset all subsequent trial dates. Otherwise, proceedings herein will resume at the conclusion of the sixty-day suspension period and all appropriate trial dates, including remaining discovery, will be reset accordingly.