

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

nmt

**Mailed: March 23, 2010**

**Opposition No. 91192997**

**ZINK IMAGING, INC.**

**v.**

**SCHOLASTIC INC.**

**Cheryl Butler, Attorney, Trademark Trial and Appeal Board:**

Applicant's consented motion (filed March 12, 2010) to suspend proceedings for settlement negotiations is noted. Such motion was filed after the filing of applicant's answer and prior to the deadline for the parties' discovery conference and does not indicate that the parties have held their mandatory discovery conference.

The Board generally does not grant motions to suspend for settlement negotiations that are filed between the filing of an answer and the deadline for the discovery conference "precisely because the discovery conference itself provides an opportunity to discuss settlement." *Miscellaneous Changes to Trademark Trial and Appeal Board Rules*, 72 Fed. Reg. 42242, 42245 (Aug. 1, 2007). Applicant

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has not shown that varying from the Board's general practice is warranted in this case.

Accordingly, the motion to suspend is denied. The due date for the discovery conference is March 24, 2010.

Insofar as the due date is very near to the mailing date of this order, dates are rescheduled slightly from the January 22, 2010 scheduling order to allow the parties to arrange to conference.

Deadline for Discovery Conference	4/2/2010
Discovery Opens	4/2/2010
Initial Disclosures Due	5/2/2010
Expert Disclosures Due	8/30/2010
Discovery Closes	9/29/2010
Plaintiff's Pretrial Disclosures	11/13/2010
Plaintiff's 30-day Trial Period Ends	12/28/2010
Defendant's Pretrial Disclosures	1/12/2011
Defendant's 30-day Trial Period Ends	2/26/2011
Plaintiff's Rebuttal Disclosures	3/13/2011
Plaintiff's 15-day Rebuttal Period Ends	4/12/2011

Once the parties have conferenced, they may seek consented periods of suspension or extension to accommodate settlement discussions.

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