

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

Mailed: January 7, 2014

Opposition No. 91194218 (parent)
Opposition No. 91194219
Cancellation No. 92053479
Cancellation No. 92053482

Illumina, Inc.

v.

Meridian Bioscience, Inc.

**Robert H. Coggins,
Interlocutory Attorney:**

Motion to Extend

Applicant's consented motion (filed November 11, 2013) to extend the close of discovery is **granted**. Trademark Rule 2.127(a). Dates are reset in accordance with the motion.

Future Report Required

The Board presumes that applicant's recent representations that the parties are unable complete discovery during the assigned period have been made in good faith, and that the parties are engaged in active discovery. However, inasmuch as the parties have sought and been granted eight months of extensions since the Board denied

plaintiff's motion for summary judgment, which motion was filed over two years into the oppositions and a year and one-half into the cancellations and after the parties sought and received multiple suspensions and extensions of time, the Board **imposes** a reporting requirement should the parties seek to reopen, extend, or suspend any dates.

Any future request to reopen, extend, or suspend time must be accompanied by a detailed report on how the parties have used the time since the filing date of the previous motion to establish good cause for the requested reopening, extension, or suspension. This report should include a recitation of (1) the dates and times at which the parties or counsel have met, corresponded, or spoken; (2) a list of issues which have been resolved and which remain for trial; and (3) a firm timetable for the resolution of this matter. Absent such a report, the Board will look with disfavor on any future motions to reopen, extend or suspend, even those stipulated by the parties.