

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

AM

Mailed: June 25, 2012

Opposition No. 91194361

ArtBanc International, Ltd.,
Inc.

v.

Artbank.com Limited

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

The record showing no response by applicant to opposer's motion to compel (filed May 18, 2012), the motion is granted as conceded. Trademark Rules 2.120(e)(1) and 2.127(a).¹

Applicant is allowed until thirty days from the mailing date of this order to provide complete responses to opposer's interrogatories and document requests. The responses must be made without objection because applicant failed either to timely respond or to object to opposer's discovery requests. *See No Fear Inc. v. Rule*, 54 USPQ2d

¹ Opposer's motion (filed June 19, 2012) to treat the motion to compel as conceded is effectively granted.

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1551 (TTAB 2000). Should applicant fail to provide the ordered responses, opposer's remedy will lie in a motion for entry of sanctions, in the form of entry of judgment sustaining the opposition and dismissing the counterclaim. See Trademark Rule 2.120(g) (1).

Proceedings are resumed, and dates are reset as follows.

Plaintiff's Pretrial Disclosures	July 29, 2012
30-day testimony period for plaintiff's testimony to close	September 12, 2012
Defendant/Counterclaim Plaintiff's Pretrial Disclosures	September 27, 2012
30-day testimony period for defendant and plaintiff in the counterclaim to close	November 11, 2012
Counterclaim Defendant's and Plaintiff's Rebuttal Disclosures Due	November 26, 2012
30-day testimony period for defendant in the counterclaim and rebuttal testimony for plaintiff to close	January 10, 2013
Counterclaim Plaintiff's Rebuttal Disclosures Due	January 25, 2013
15-day rebuttal period for plaintiff in the counterclaim to close	February 24, 2013
Brief for plaintiff due	April 25, 2013
Brief for defendant and plaintiff in the counterclaim due	May 25, 2013
Brief for defendant in the counterclaim and reply brief, if any, for plaintiff due	June 24, 2013
Reply brief, if any, for plaintiff in the counterclaim due	July 9, 2013

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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 Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.