

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

Mailed: November 30, 2012

Opposition No. 91194706

1047406 Ontario Ltd. and
Purifics ES, Inc.

v.

UVCleaning Systems, Inc. dba
Puralytics Corporation

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

This case comes up on applicant's motion (filed November 29, 2012) to extend the close of its trial period. Telephone Conference

The Board granted applicant's request to quickly determine the motion in a telephone conference. See Motion, para. 7. See also TBMP § 502.06(a) (3d ed. rev. 2012). On November 30, 2012, at approximately 2:00 p.m. EST, the above-signed Board attorney convened a telephone conference with Salumeh Loesch, counsel for applicant, and Myall Hawkins, counsel for opposer.¹ During the conference opposer was allowed time to provide an oral brief in

¹ On the line with Ms. Loesch was Heidi Van Baalen, and on the line with Mr. Hawkins was Lisa Meyerhoff.

opposition to the motion, and applicant was allowed time to provide an oral reply.

The Board presumes familiarity with the issues, and for the sake of efficiency this order does not summarize the parties' arguments raised in the written motion or oral briefing. Instead, this order lists the decisions made by the Board.

Motion to Extend

The Board determined that applicant had shown good cause to extend time, there was no evidence of negligence or bad faith, and the privilege of extension had not been abused. See Fed. R. Civ. P. 6(b)(1); TBMP § 509.01; and *National Football League v. DNH Management LLC*, 85 USPQ2d 1852, 1854 (TTAB 2008). In view thereof, applicant's motion to extend was granted.

The Board acknowledged that applicant's extended trial period encompasses several end-of-year holidays and encouraged applicant to serve its prospective notices of deposition early enough in the extended period so that the parties may have time to work together to find mutually agreeable dates or to discuss the need for a further extension, if necessary.

Schedule

Dates were reset on the following schedule.

Defendant's 30-day Trial Period Ends	1/8/2013
Plaintiff's Rebuttal Disclosures Due	1/23/2013
Plaintiff's 15-day Rebuttal Period Ends	2/22/2013

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.