

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

EJW/tlc

Mailed: May 31, 2011

Opposition No. 91195327 (parent)
Opposition No. 91195328

Hard Candy Cases, LLC

v.

Hard Candy, LLC

ELIZABETH J. WINTER, INTERLOCUTORY ATTORNEY:

Opposer's amended notice of opposition¹ (filed March 11, 2011) is accepted and is now considered opposer's operative pleading in these consolidated proceedings. Applicant's amended answer (filed March 21, 2011, in Opp. No. 91195327) to the amended notice of opposition is noted and is also made of record.²

¹ It is noted that the revised notice of opposition does not include opposer's fraud claim. Accordingly, applicant's motion to dismiss opposer's fraud claim in Opp. No. 91195327 is moot.

² Applicant is allowed to substitute its amended answer with one having a different caption. Specifically, the amended answer contains a typographical error inasmuch as it refers to application Serial No. 77700557 (involved in 91195328), rather than application Serial No. 77700559 (involved in 91195327).

Opposition Nos. 91195327 and 91195328

Accordingly, proceedings herein are **resumed**. Trial dates including conferencing, disclosure and discovery are reset as indicated in the following schedule:

Deadline for Discovery Conference	6/30/2011
Discovery Opens	8/9/2011
Initial Disclosures Due	9/8/2011
Expert Disclosures Due	1/6/2012
Discovery Closes	2/5/2012
Plaintiff's Pretrial Disclosures Due	3/21/2012
Plaintiff's 30-day Trial Period Ends	5/5/2012
Defendant's Pretrial Disclosures Due	5/20/2012
Defendant's 30-day Trial Period Ends	7/4/2012
Plaintiff's Rebuttal Disclosures Due	7/19/2012
Plaintiff's 15-day Rebuttal Period Ends	8/18/2012

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 Rule 2.128(a) and (b).

An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

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