

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

BUO

Mailed: December 3, 2013

Opposition No. 91195948

Union Harbour Ltd.

v.

Lifung Trinity Management
(Singapore) Pte. Ltd.

Benjamin U. Okeke, Interlocutory Attorney:

On Monday, November 25, 2013, the Board conducted a telephone conference with the parties involved in this proceeding to discuss a stipulated motion for a suspension of the proceeding for ninety days. Participating in the conference were opposer's counsel, Charles P. Bacall, applicant's counsel, M. Scott Alprin, and Board interlocutory attorney, Benjamin U. Okeke.

In the Board's February 28, 2013 order, the parties were advised that no further extensions of time or suspensions of this proceeding would be granted absent a showing of extraordinary circumstances. On May 21, 2013, the parties filed a stipulated motion to suspend the proceeding to allow them to pursue settlement. However,

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because the motion contained no indication of extraordinary circumstances, the motion was denied by the Board in its June 7, 2013 order. Dates in the proceeding remained as set, which included the close of discovery on December 27, 2013.

During the telephone conference the parties presented several extenuating circumstances, chronicled the recent activities regarding the pursuit of settlement, and indicated that settlement was imminent. The Board has carefully considered the parties' arguments and the record of this proceeding.

This proceeding is now moving toward its fourth year without resolution, having been suspended for the parties' presumably earnest pursuit of settlement since October 12, 2010. This proceeding may not loiter on the Board's docket in perpetuity. However, taking into account the parties' statements during the telephone conference, and with an abundance of reservation regarding the efficacy of any further delays, the parties' stipulated motion for a final **NINETY-DAY** suspension is **GRANTED**, and the proceeding shall resume on February 23, 2014, subject to the right of either party to request resumption at any time before that date. See Trademark Rule 2.117(c).

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As stated during the conference, however, the parties should not file any further motions, stipulated or otherwise, for extension of time or suspension of this proceeding for settlement purposes, notwithstanding any extraordinary circumstances. The Board will not consider any further motions of this type filed by the parties in this matter. Should the parties fail to reach settlement before the ninety-day period expires, they should be prepared to promptly proceed to trial. To the extent that the parties still seek to settle this case following resumption, they are free to use the remaining time in the discovery period to resolve any remaining settlement issues and finalize a settlement agreement. In any event, the parties should promptly inform the Board of any settlement, so that this case may be promptly concluded.

In the event that there is no word from either party concerning a final settlement agreement, upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board, upon the following schedule:

Expert Disclosures Due	3/2/2014
Discovery Closes	4/1/2014
Plaintiff's Pretrial Disclosures	5/16/2014
Plaintiff's 30-day Trial Period Ends	6/30/2014
Defendant's Pretrial Disclosures	7/15/2014
Defendant's 30-day Trial Period Ends	8/29/2014
Plaintiff's Rebuttal Disclosures	9/13/2014

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Plaintiff's 15-day Rebuttal Period Ends

10/13/2014

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 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.

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.