

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

Mailed: December 22, 2011

Opposition No. 91199109
(parent case)

Opposition No. 91199111

Calpis Co., Ltd.

v.

Calico Jack's LLC

Jennifer Krisp, Interlocutory Attorney:

Opposer's motion (filed June 7, 2011) for an order directing that Fed. R. Civ. P. 8(b)(6) applies to applicant's amended answers, is hereby granted as conceded. See Trademark Rule 2.127(a). Accordingly, the allegations in opposer's amended notices of opposition which applicant did not deny in its April 18, 2011 answers thereto are deemed admitted. See Fed. R. Civ. P. 8(b)(6).¹

Due to the passage of time, and so as to not prejudice either party, conferencing, disclosure, discovery and trial dates are hereby reset as follows:

| | |
|------------------------|-----------|
| Deadline for Discovery | |
| Conference | 1/27/2012 |
| Discovery Opens | 1/27/2012 |

¹ Said Rule states: Effect of Failing to Deny. An allegation – other than one relating to the amount of damages – is admitted if a responsive pleading is required and the allegation is not denied. If a responsive pleading is not required, an allegation is considered denied or avoided.

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| Initial Disclosures Due | 2/26/2012 |
| Expert Disclosures Due | 6/25/2012 |
| Discovery Closes | 7/25/2012 |
| Plaintiff's Pretrial Disclosures due | 9/8/2012 |
| Plaintiff's 30-day Trial Period Ends | 10/23/2012 |
| Defendant's Pretrial Disclosures due | 11/7/2012 |
| Defendant's 30-day Trial Period Ends | 12/22/2012 |
| Plaintiff's Rebuttal Disclosures due | 1/6/2013 |
| Plaintiff's 15-day Rebuttal Period Ends | 2/5/2013 |

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.