

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

Mailed: August 1, 2011

Opposition No. 91200089

NuVasive, Inc.

v.

Alphatec Spine, Inc.

Millicent Canady, Paralegal Specialist:

Opposer's consented motion filed July 11, 2011, to suspend proceedings to allow the parties' sufficient time in which to finalize their agreement is granted.

Accordingly, proceedings herein are suspended until January 8, 2012, subject to the right of either party to request resumption at any time. See Trademark Rule 2.117(c).

In the event that there is no word from either party concerning the progress of their negotiations, upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board, upon the schedule set out below.

Applicant's answer to the **notice of opposition**, conferencing, disclosure, discovery and trial dates is reset as follows:

| | |
|---|------------|
| Time to Answer | 1/9/2012 |
| Deadline for Discovery Conference | 2/8/2012 |
| Discovery Opens | 2/8/2012 |
| Initial Disclosures Due | 3/9/2012 |
| Expert Disclosures Due | 7/7/2012 |
| Discovery Closes | 8/6/2012 |
| Plaintiff's Pretrial Disclosures | 9/20/2012 |
| Plaintiff's 30-day Trial Period Ends | 11/4/2012 |
| Defendant's Pretrial Disclosures | 11/19/2012 |
| Defendant's 30-day Trial Period Ends | 1/3/2013 |
| Plaintiff's Rebuttal Disclosures | 1/18/2013 |
| Plaintiff's 15-day Rebuttal Period Ends | 2/17/2013 |

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 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.