

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

VV

Mailed: August 26, 2014

Opposition No. 91201229

Melaleuca, Inc.

v.

Vitamin Shoppe Industries Inc.

Eric McWilliams, Supervisory Paralegal:

Applicant's consented motion filed July 18, 2014 requesting 60-day extension of time for Plaintiff's trial period and all subsequent dates is noted.

On May 13, 2014, the Board granted applicant's consented motion to suspend the above cited proceeding filed on April 11, 2014. In its May 13, 2014 the Board reminded the parties of their continuing obligation to provide good cause in the form of a progress report for any further extension request. The applicant's motion for extension of time filed July 18, 2014 lacks any progress report required by the Board. Accordingly, the Board denies applicant's request for further extension of trial dates. Trademark Rule 2.127(a).

However, the Board exercises its discretion in modifying the trial period and resets the subsequent trial dates. Accordingly, plaintiff's Pretrial disclosure date and all subsequent dates are modified as indicated below:

Plaintiff's Pretrial Disclosures	9/7/2014
Plaintiff's 30-day Trial Period Ends	10/22/2014
Defendant's Pretrial Disclosures	11/6/2014
Defendant's 30-day Trial Period Ends	12/21/2014
Plaintiff's Rebuttal Disclosures	1/5/2015
Plaintiff's 15-day Rebuttal Period Ends	2/4/2015

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 Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.