

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

gcp

Mailed: December 14, 2011

Opposition No. 91201920

Citigroup Inc.

v.

Citiair, LLC

By the Trademark Trial and Appeal Board:

On October 5, 2011, opposer filed its notice of opposition. The Board instituted this proceeding on October 5, 2011. Applicant filed a timely answer on November 1, 2011. Thereafter, on November 22, 2011, opposer filed an amended notice of opposition.

Fed. R. Civ. P. 15(a)(1) provides that a party may amend its pleading once as a matter of course within (A) 21 days after serving it or (B) if the pleading is one to which a responsive pleading is required, after 21 days after service of a responsive pleading. Moreover, an amendment filed as a matter of course need not be accompanied by a motion for leave to amend. TBMP § 507.02 (3d ed. 2011).

In this instance, opposer filed its amended pleading within 21 days after applicant filed its answer to opposer's originally-filed notice of opposition.

Accordingly, opposer's amended notice of opposition filed on November 21, 2011 is permitted as a matter of course in accordance with Fed. R. Civ. P. 15(a) and is now the operative pleading in this case.

Applicant's answer to the amended notice of opposition filed on December 14, 2011 is also noted and accepted.

Trial dates are reset as follows:

Deadline for Discovery Conference	1/13/2012
Discovery Opens	1/13/2012
Initial Disclosures Due	2/12/2012
Expert Disclosures Due	6/11/2012
Discovery Closes	7/11/2012
Plaintiff's Pretrial Disclosures	8/25/2012
Plaintiff's 30-day Trial Period Ends	10/9/2012
Defendant's Pretrial Disclosures	10/24/2012
Defendant's 30-day Trial Period Ends	12/8/2012
Plaintiff's Rebuttal Disclosures	12/23/2012
Plaintiff's 15-day Rebuttal Period Ends	1/22/2013

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 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.