

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

Mailed: May 20, 2014

Opposition No. 91202451

The Whitaker LLC

v.

AMP Electric Vehicles Inc.

Amy Matelski, Paralegal Specialist:

Applicant's consented motion (filed May 13, 2014) to suspend this proceeding for ninety days is granted.

Because the parties are negotiating for a possible settlement of this case, proceedings are suspended up to, and including August 19, 2014, subject to the right of either party to request resumption at any time. *See* Trademark Rules 2.117(c), and 2.127(a); and TBMP § 605.02.

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 on August 20, 2014 without further notice or order from the Board, upon the schedule set forth below.

Applicant is allowed until September 20, 2014 in which to answer the notice of opposition. Conferencing, disclosure, discovery and trial dates are reset as follows:

Time to Answer	9/20/2014
Deadline for Discovery Conference	10/20/2014
Discovery Opens	10/20/2014
Initial Disclosures Due	11/19/2014
Expert Disclosures Due	3/19/2015
Discovery Closes	4/18/2015
Plaintiff's Pretrial Disclosures	6/2/2015
Plaintiff's 30-day Trial Period Ends	7/17/2015
Defendant's Pretrial Disclosures	8/1/2015
Defendant's 30-day Trial Period Ends	9/15/2015
Plaintiff's Rebuttal Disclosures	9/30/2015
Plaintiff's 15-day Rebuttal Period Ends	10/30/2015

Inasmuch as applicant has provided the Board with an updated report of the parties settlement discussions as previously required, the parties are reminded that there is a continuing obligation to provide good cause in the form of detailed progress reports for any further extension or suspension requests. Additionally, the Board is now requiring that the parties provide additional information regarding their settlement discussions. Future requests must provide a detailed report explaining how the parties spent the current extension period discussing settlement including: advising of the date of all contacts between the parties' counsel discussing settlement during the extension period (i.e., via telephone, by letter, e-mail or in person), identifying the issues that remain to be resolved and providing a firm timetable for resolution. Absent a detailed progress report, future requests to suspend (or extend) may not be granted.

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.

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.¹

¹ If the parties are (or during the pendency of this proceeding become) parties to another proceeding involving the subject application/registration, the parties must notify the Board so the Board can consider whether consolidation or suspension of proceedings is appropriate.