

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

CME

Mailed: March 10, 2015

Opposition No. 91202984

Hachette Filipacchi Presse

v.

Lauren R. Schneider

**Christen M. English, Interlocutory Attorney:**

On September 4, 2014, Opposer filed a motion appointing new counsel to represent it in this proceeding.<sup>1</sup> On September 8, 2014, Opposer filed its final brief in the case, and the next day, September 9, 2014, Opposer filed a motion to reopen the testimony and briefing deadlines in this proceeding.

In support of its motion, Opposer's counsel asserts that it was retained by Opposer in this proceeding on September 4, 2014 and that in reviewing the docket to prepare Opposer's trial brief, it "discovered that numerous pieces of critical evidence that support [Opposer's] likelihood of confusion and dilution claims were not made part of the record." Brief in Support of Motion, p. 2. Accordingly, Opposer requests that the Board reopen both parties' testimony periods and "permit the parties to submit supplemental trial briefing addressing any additional evidence submitted during the testimony periods." *Id.* at p. 3.

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<sup>1</sup> The Board's records have been updated accordingly.

Applicant did not respond to the motion, and therefore, the Board grants the motion as conceded (*see* Trademark Rule 2.127(a)) to the extent that pretrial disclosure, testimony and briefing periods are reopened, but because supplemental briefing likely would confuse the issues and unnecessarily burden the panel of judges at final decision, rather than allow supplemental briefing, Opposer will be required to file a new final brief. Opposer's final brief, filed September 8, 2014, will be given no consideration.

Dates are reset as follows:

Plaintiff's Supplemental Pretrial Disclosures, if any, Due	<b>3/27/2015</b>
Plaintiff's 30-day Trial Period Ends	<b>5/11/2015</b>
Defendant's Supplemental Pretrial Disclosures, if any, Due	<b>5/26/2015</b>
Defendant's 30-day Trial Period Ends	<b>7/10/2015</b>
Plaintiff's Supplemental Rebuttal Disclosures, if any, Due	<b>7/25/2015</b>
Plaintiff's 15-day Rebuttal Period Ends	<b>8/24/2015</b>

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.

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