

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

Mailed: January 22, 2014

Opposition No. 91203192

Beats Electronics, LLC

v.

Merkury Innovations, LLC

**George C. Pologeorgis,
Interlocutory Attorney:**

Opposer's consented motion (filed January 17, 2014) to extend disclosure, discovery and trial dates because the parties have been unable to complete discovery is **GRANTED** but only for an additional thirty days for the reasons explained below.

Trial dates are reset as follows:

Expert Disclosures Due	February 22, 2014
Discovery Closes	March 22, 2014
Plaintiff's Pretrial Disclosures	May 6, 2014
30-day testimony period for plaintiff's testimony to close	June 20, 2014
Defendant/Counterclaim Plaintiff's Pretrial Disclosures	July 5, 2014
30-day testimony period for defendant and plaintiff in the counterclaim to close	August 19, 2014
Counterclaim Defendant's and Plaintiff's Rebuttal Disclosures Due	September 3, 2014

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30-day testimony period for defendant in the counterclaim and rebuttal testimony for plaintiff to close	October 18, 2014
Counterclaim Plaintiff's Rebuttal Disclosures Due	November 2, 2014
15-day rebuttal period for plaintiff in the counterclaim to close	December 2, 2014
Brief for plaintiff due	January 31, 2015
Brief for defendant and plaintiff in the counterclaim due	March 2, 2015
Brief for defendant in the counterclaim and reply brief, if any, for plaintiff due	April 1, 2015
Reply brief, if any, for plaintiff in the counterclaim due	April 16, 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.

The Board notes that since September 2012 the parties have effected numerous requests to extend trial dates because the parties have been unable to complete discovery. The Board finds that it has provided the parties ample time to conduct and complete discovery in this proceeding, including the extension of time provided herein. Accordingly, **the Board will not entertain any further requests to extend or suspend on the ground that the parties are unable to complete discovery.**