

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: June 17, 2014

Opposition No. 91203192

Beats Electronics, LLC

v.

Merkury Innovations, LLC

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

Opposer's consented motion (filed May 22, 2014) to suspend this proceeding for 60 days to allow the parties to discuss settlement is **GRANTED** to the extent noted below.

Accordingly, proceedings are suspended up to, and including, **July 21, 2014**, subject to the right of either party to request resumption at any time. *See* Trademark Rule 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 without further notice or order from the Board, upon the schedule set forth below.

Proceedings Resume:

**July 22, 2014**

Discovery Closes <sup>1</sup>	<b>August 5, 2014</b>
Plaintiff's Pretrial Disclosures Due	<b>September 19, 2014</b>
30-day testimony period for plaintiff's testimony to close	<b>November 3, 2014</b>
Defendant/Counterclaim Plaintiff's Pretrial Disclosures Due	<b>November 18, 2014</b>
30-day testimony period for defendant and plaintiff in the counterclaim to close	<b>January 2, 2015</b>
Counterclaim Defendant's and Plaintiff's Rebuttal Disclosures Due	<b>January 17, 2015</b>
30-day testimony period for defendant in the counterclaim and rebuttal testimony for plaintiff to close	<b>March 3, 2015</b>
Counterclaim Plaintiff's Rebuttal Disclosures Due	<b>March 18, 2015</b>
15-day rebuttal period for plaintiff in the counterclaim to close	<b>April 17, 2015</b>
Brief for plaintiff due	<b>June 16, 2015</b>
Brief for defendant and plaintiff in the counterclaim due	<b>July 16, 2015</b>
Brief for defendant in the counterclaim and reply brief, if any, for plaintiff due	<b>August 15, 2015</b>
Reply brief, if any, for plaintiff in the counterclaim due	<b>August 30, 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 the taking of testimony. Trademark Rule 2.125.

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<sup>1</sup> The Board notes that approximately two weeks of discovery remained at the time opposer filed its consented motion to suspend for settlement. Accordingly, the Board has only afforded the parties the remaining two weeks upon resumption of this proceeding.

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.<sup>2</sup>

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<sup>2</sup> 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.