

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

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Mailed: September 3, 2014

Opposition No. 91204507

Fresenius SE & Co. KGaA and Fresenius  
Medical Care Deutschland GmbH

v.

Hochschule Fresenius gemeinnützige GmbH

**Denise M. DelGizzi,**  
**Technical Program Manager:**

Opposer's consented motion filed August 18, 2014 to suspend this proceeding for 90 days is granted as modified below.

Because the parties are negotiating for a possible settlement of this case, proceedings are suspended up to, and including **November 15, 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	<b>11/15/2014</b>
Expert Disclosures Due	<b>11/25/2014</b>
Discovery Closes	<b>12/25/2014</b>
Plaintiff's Pretrial Disclosures	<b>2/8/2015</b>

Plaintiff's 30-day Trial Period Ends	<b>3/25/2015</b>
Defendant's Pretrial Disclosures	<b>4/9/2015</b>
Defendant's 30-day Trial Period Ends	<b>5/24/2015</b>
Plaintiff's Rebuttal Disclosures	<b>6/8/2015</b>
Plaintiff's 15-day Rebuttal Period Ends	<b>7/8/2015</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.

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>1</sup>

As a final matter, the parties are reminded that in the event that either party files a motion to extend or suspend any of these dates, they remain under obligation to support any such motion with a detailed report of the reasons therefor, including details of settlement efforts, if any. For further explanation of this requirement, the parties are referred to the Board order issued March 14, 2014. **Absent such a report, any future motion to extend or suspend may be denied, even if agreed to by the parties.**

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<sup>1</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.