

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

DUNN

Mailed: March 8, 2013

Opposition No. 91205964
Cancellation No. 92055812

Central Park Conservancy, Inc

v.

Susoix LLC

Elizabeth A. Dunn, Attorney (571-272-4267):

Following the January 2, 2013 remand from the Board, the examining attorney accepted Susoix LLC's amendment of the filing basis for its application Serial No. 85393670 from Trademark Act Section 1(a), use in commerce, to Section 1(b), intent to use, which had been filed before commencement of the opposition involving the application. On February 5, 2013, application Serial No. 85393670 was published for opposition with its new basis. The opposition period having passed with no new oppositions having been filed, this consolidated proceeding is resumed.¹

¹ The Board notes that prior to remand the application was subject to two oppositions, this one and the one brought by City of New York, by and through its Department of Parks and Recreation, Opposition No. 91205879.

Susoix LLC is allowed until THIRTY DAYS from the mailing date of this order to file its answer to the notice of opposition and petition to cancel. The need for separate pleadings is the only exception to the rule that, once proceedings are consolidated, only a single copy of any paper is filed in the parent case. Dates are reset below:

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| Deadline for Discovery Conference | 5/6/2013 |
| Discovery Opens | 5/6/2013 |
| Initial Disclosures | 6/6/2013 |
| Expert Disclosures | 10/4/2013 |
| Discovery Closes | 11/3/2013 |
| Plaintiff's Pretrial Disclosures | 12/18/2013 |
| Plaintiff's 30-day Trial Period Ends | 2/1/2014 |
| Defendant's Pretrial Disclosures | 2/16/2014 |
| Defendant's 30-day Trial Period Ends | 4/2/2014 |
| Plaintiff's Rebuttal Disclosures | 4/17/2014 |
| Plaintiff's 15-day Rebuttal Period Ends | 5/17/2014 |

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.