

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

Am

Mailed: January 30, 2013

Opposition No. 91206956

Loris Azzaro BV

v.

Chrome Girl Nails, LLC

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

The Board's September 12, 2012 institution and trial order scheduled the answer to be filed by October 22, 2012 and the discovery conference to be held by November 21, 2012.

On October 22, 2012, applicant filed its answer, and on November 19, 2012, applicant filed a consented motion to suspend proceedings for thirty days pending settlement negotiations. The motion does not state that the parties held the discovery conference. Applicant filed a second consented motion to suspend for thirty days on December 19, 2012, and this motion also includes no reference to the discovery conference.

Absent extraordinary circumstances, the Board will not extend or suspend proceedings for settlement from the time

the answer is filed until the discovery conference takes place. See "Miscellaneous Changes to Trademark Trial and Appeal Board Rules," 72 Fed. Reg. 42242, 42245 (Aug. 1, 2007) ("[I]f a motion to extend or suspend for settlement talks, arbitration or mediation is not filed prior to answer, then the parties will have to proceed, after the answer is filed, to their discovery conference, one point of which is to discuss settlement.") Accordingly, dates remain as set in the Board's institution order dated September 12, 2012. See Trademark Rule 2.120(a)(2).

Once the discovery conference has taken place, proceedings can be suspended for settlement.

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