

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: March 25, 2015

Opposition No. 91208076

Kouture Ventures, Inc.

v.

Kimsaprincess Inc., 2Die4Kourt, and
Khlomoney Inc.

Nicole Thier, Paralegal Specialist:

The Board notes the consented motion filed by opposer on March 20, 2015 to extend all dates for the parties to pursue settlement.

However, it has come to the Board's attention that since the filing of applicant's answer on January 23, 2014, the parties have effected numerous requests for extensions of time indicating that the parties have and have not held the required discovery conference along with inconsistent proposed trial schedule.

While the Board is liberal in granting extensions of time to accommodate settlement, after an answer has been filed, the Board is unlikely to find good cause for a motion, even upon consent or stipulation, to extend the deadline for the parties to conduct the required discovery conference when the basis for the motion is the existence of settlement discussions. *See* TBMP § 509.01(a); *Boston Red Sox Baseball Club LP v.*

Chaveriat, 87 USPQ2d 1767, 1767 n.1 (TTAB 2008) (“It is unlikely the Board will find good cause for a motion to extend or suspend for settlement if the motion is filed after answer but prior to the discovery conference, precisely because the discovery conference itself provides an opportunity to discuss settlement.”).

Accordingly, opposer’s motion is granted as modified. The parties are expected to proceed to conduct, if they have not already done so, the required discovery conference without delay before any further extension or suspension requests will be addressed by the Board. Disclosure, discovery and trial dates as reset as indicated below.

Discovery Opens	3/23/2015
Initial Disclosures Due	4/22/2015
Expert Disclosures Due	8/20/2015
Discovery Closes	9/19/2015
Plaintiff's Pretrial Disclosures	11/3/2015
Plaintiff's 30-day Trial Period Ends	12/18/2015
Defendant's Pretrial Disclosures	1/2/2016
Defendant's 30-day Trial Period Ends	2/16/2016
Plaintiff's Rebuttal Disclosures	3/2/2016
Plaintiff's 15-day Rebuttal Period Ends	4/1/2016

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 Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.