

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

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Mailed: August 19, 2013

Opposition No. 91208103

IdenTrust, Inc.

v.

MorphoTrust USA, Inc.

**Eric McWilliams, Supervisory Paralegal:**

Opposer's consented motion to suspend proceedings dated May 28, 2013 is noted.

Because the parties are negotiating for possible settlement of this case, proceedings herein are suspended subject to the right of either party to request resumption at any time. See Trademark Rule 2.117(c).

Inasmuch as there has been no word from either party concerning the progress of their negotiations, proceedings are resumed **upon the modified schedule set out below.**<sup>1</sup>

Initial Disclosures Due

9/19/2013

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<sup>1</sup> The Board notes that opposer filed its motion for suspension using the consented motions tab in the Board's electronic filing system. Opposer's attention is directed to the ESTTA filing tips on the USPTO's website, which informs the parties that the consented motions form should not be used if the next due date in the proceeding is the date for the initial disclosures, but the parties should instead use the general filings tab.

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Expert Disclosures Due	1/17/2014
Discovery Closes	2/16/2014
Plaintiff's Pretrial Disclosures	4/2/2014
Plaintiff's 30-day Trial Period	
Ends	5/17/2014
Defendant's Pretrial Disclosures	6/1/2014
Defendant's 30-day Trial Period	
Ends	7/16/2014
Plaintiff's Rebuttal Disclosures	7/31/2014
Plaintiff's 15-day Rebuttal Period	
Ends	8/30/2014

The Board notes that in opposer's consented motion, it was indicated that the parties have not held the required discovery conference. The parties are reminded that the trademark rules place on the parties a shared responsibility to conference to discuss the scope of the pleadings, the possibility of settlement and planning for disclosures and discovery, as explained in the notice of institution. **This order does not suspend the time for the parties to conduct the required discovery conference** as the Board does not find in opposer's motion good cause to delay the parties' required conference to allow for settlement talks, when the parties are required to discuss settlement in the conference. See "Miscellaneous Changes to Trademark Trial and Appeal Board Rules," 72 Fed. Reg. 42242, 42245 (Aug. 1, 2007).

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served

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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 Rule 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.