

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

Mailed: July 5, 2013

Opposition No. 91209336

California Products
Corporation

v.

Plexicoat America, LLC and
Robert M. Brodsky

Rochelle Adams, Paralegal Specialist:

On April 11, 2013, the Board sent a notice of default to applicant because no answer had been filed. Now before the Board is applicant's April 22, 2013 response to the Board's order along with a copy of the parties' consented motion (filed March 6, 2013) to suspend for ninety days, that was never updated in our records. In view of the circumstances as outlined in applicant's response, the default order is hereby set aside.

Because the parties are negotiating for a possible settlement of this case, proceedings herein are suspended until January 28, 2014, subject to the right of either party to request resumption at any time. See Trademark Rule 2.117(c).

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 out below.

Applicant is allowed **THIRTY DAYS** from resumption in which to answer the notice of opposition. Conferencing, disclosure, discovery and trial dates are reset as follows:

| | |
|---|------------------|
| Proceedings resume | 1/29/2014 |
| Time to Answer | 2/28/2014 |
| Deadline for Discovery Conference | 3/30/2014 |
| Discovery Opens | 3/30/2014 |
| Initial Disclosures Due | 4/29/2014 |
| Expert Disclosures Due | 8/27/2014 |
| Discovery Closes | 9/26/2014 |
| Plaintiff's Pretrial Disclosures | 11/10/2014 |
| Plaintiff's 30-day Trial Period Ends | 12/25/2014 |
| Defendant's Pretrial Disclosures | 1/9/2015 |
| Defendant's 30-day Trial Period Ends | 2/23/2015 |
| Plaintiff's Rebuttal Disclosures | 3/10/2015 |
| Plaintiff's 15-day Rebuttal Period Ends | 4/9/2015 |

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 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.