

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

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Mailed: January 10, 2014

Opposition No. 91209421

Garber Bros., Inc.

v.

U.S. Property Management
Enterprise Inc.

Jennifer Krisp, Interlocutory Attorney:

Opposer's motion to compel filed October 9, 2013, is hereby granted as conceded. See Trademark Rules 2.120(e) and 2.127(a).

Applicant is permitted until **thirty days** from the mailing date of this order in which to 1) serve on opposer applicant's initial disclosures, and 2) serve on opposer complete responses to opposer's first set of interrogatories and first set of requests for production of documents. Moreover, applicant's responses must be made without objection because applicant failed either to timely respond to or object to opposer's discovery requests. See *No Fear Inc. v. Rule*, 54 USPQ2d 1551 (TTAB 2000).

Should applicant fail to provide the ordered responses, opposer's remedy will lie in a motion for entry of sanctions, as appropriate. See Trademark Rule 2.120(g).

Accordingly, proceedings are resumed and trial dates are reset as indicated below:

Expert Disclosures Due	2/12/2014
Discovery Closes	3/14/2014
Plaintiff's Pretrial Disclosures	4/28/2014
Plaintiff's 30-day Trial Period Ends	6/12/2014
Defendant's Pretrial Disclosures	6/27/2014
Defendant's 30-day Trial Period Ends	8/11/2014
Plaintiff's Rebuttal Disclosures	8/26/2014
Plaintiff's 15-day Rebuttal Period Ends	9/25/2014

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.