

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

Mailed: September 4, 2013

Opposition No. 91210049

Vranken-Pommery Production

v.

Amuse Bouche LLC

**Cheryl S. Goodman, Interlocutory Attorney:**

This case now comes up on applicant's motion, filed May 13, 2013, to extend its time to answer. Applicant's basis for an extension is that it needs ninety days to investigate the matter and "to consider possible alternatives to proceeding further with the opposition."

In opposition to the motion, opposer argues that a ninety day extension is "excessive, unwarranted." Opposer complains about applicant's failure to respond to opposer's efforts to contact applicant prior to filing the opposition, and applicant's failure to contact opposer sooner with regard to its extension request (which opposer declined to consent to on May 13, 2013). Opposer asks that the Board deny the motion, or alternatively grant a thirty-day extension, rather than a ninety-day extension.

Thereafter, during the pendency of the motion, on August 12, 2013, applicant filed its answer based on its extension request.

The standard for granting an extension of time is good cause. See Fed. R Civ. P. 6(b) and TBMP § 509.01(a) (3d ed. rev.2 2013) and authorities cited therein. A motion to extend time must set forth the facts in sufficient detail to establish good cause for an extension. *Id.*

The Board finds that applicant has established good cause for an extension by its need to investigate the matter and to determine whether it would defend the opposition.

In view thereof, the motion to extend is granted. The answer filed August 12, 2013 is timely.

Dates are reset as follows:

Deadline for Discovery Conference	10/2/2013
Discovery Opens	10/2/2013
Initial Disclosures Due	11/1/2013
Expert Disclosures Due	3/1/2014
Discovery Closes	3/31/2014
Plaintiff's Pretrial Disclosures Due	5/15/2014
Plaintiff's 30-day Trial Period Ends	6/29/2014
Defendant's Pretrial Disclosures Due	7/14/2014
Defendant's 30-day Trial Period Ends	8/28/2014
Plaintiff's Rebuttal Disclosures Due	9/12/2014
Plaintiff's 15-day Rebuttal Period Ends	10/12/2014

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

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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.