

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

CME/tdc

Mailed: July 24, 2014

Opposition No. 91210772

Intercast Europe S.r.l.

v.

Kenko Tokina USA, Inc.

Christen M. English, Interlocutory Attorney:

On May 5, 2014, the Board issued an order (“Prior Order”) suspending this proceeding pending the parties’ compliance with Fed. R. Civ. P. 26(a)(2) and the exchange of discovery limited to planned expert testimony, and deferring consideration of Opposer’s motion to extend, filed April 15, 2014 (“April 2014 Motion”). *See* Prior Order, pp. 1 and 3. On May 22, 2014, Opposer filed an unconsented motion (“May 2014 Motion”) to extend its time to disclose any planned rebuttal expert testimony and requesting that Applicant’s discovery requests, served on May 5, 2014, “be stayed or deemed a nullity until the Board lifts the suspension [imposed by the Prior Order].” May 2014 Motion, pp. 2-3. Subsequently, on June 3, 2014, Opposer filed a consented motion (“June 2014 Consented Motion”) to: (i) suspend for ninety (90) days the parties’ “Expert Witness related obligations set forth in the [Prior Order]”; (ii) defer consideration of Opposer’s May 2014 Motion; and (iii) extend Opposer’s time to respond to Applicant’s discovery requests served on May 5, 2014. June 2014

Consented Motion, p. 1. The parties seek suspension so that they may have an opportunity to pursue a possible settlement of this proceeding.

Opposer's June 2014 Consented Motion is **GRANTED**. Accordingly, this proceeding remains suspended, but it is now suspended for settlement discussions, subject to the right of either party to request resumption at any time. *See* Trademark Rule 2.117(c) and TBMP § 605.02. In the event that there is no word from either party, **proceedings will resume on September 3, 2014**. Upon resumption of this proceeding, the parties are allowed until **FOURTEEN (14) DAYS FROM RESUMPTION** to participate in a telephone conference with the assigned interlocutory attorney to discuss (i) the status of their compliance with Fed. R. Civ. P. 26(a)(2), (2) the resetting of dates in this proceeding, and (iii) Opposer's April 2014 Motion and May 2014 Motion.

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.
