

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

CME

Mailed: September 5, 2013

Opposition No. 91210772

Intercast Europe S.r.l.

v.

T H K Photo Products, Inc.

Christen M. English, Interlocutory Attorney:

On August 20, 2013, opposer filed a letter indicating that the parties held the required discovery conference on July 31, 2013, but that they were unable to complete the conference due to disagreements concerning the propriety of applicant's affirmative defenses. On September 4, 2013, the Board held a telephone conference to address opposer's August 20, 2013 filing. Ralph Cathcart appeared on behalf of opposer, Katherine Hoffman and Jamie Danaher appeared on behalf of the Board, and the interlocutory attorney assigned to the case conducted the conference.

The Board informed the parties that it construes opposer's August 20, 2013 filing not as a request for Board participation in the required discovery conference, but as a request that the Board hear an oral motion to strike certain of applicant's affirmative defenses. The Board explained that because of the nature of applicant's affirmative

defenses, the Board will not decide a motion to strike on the telephone. Accordingly, opposer is allowed until TEN DAYS from the mailing date of this order to file a more standard motion to strike or to file a paper stating that it wishes the Board to treat its August 20, 2013 filing as a motion to strike. Applicant's deadline to respond to any motion to strike will run from the date that opposer files a response to this order. See Trademark Rule 2.127(a). If opposer fails to respond to this order, its August 20, 2013 filing will be given no further consideration.
