

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

dmd

Mailed: December 26, 2013

Opposition No. 91211208

United Industries Corporation

v.

Chemian Technology Limited

**Denise M. DelGizzi,
Technical Program Manager:**

This case now comes up on opposer's motion (filed August 21, 2013) to strike.¹ Proceedings were suspended by Board order dated September 18, 2013 pending disposition of the motion. The record shows no response by applicant Chemian Technology Limited. Accordingly, the motion is granted as conceded. Trademark Rule 2.127(a). In view thereof, the mere descriptiveness (Second Affirmative Defense) and failure to state a claim (Fourth Affirmative Defense) asserted in applicant's answer are hereby stricken.

Proceedings are resumed. Conference, discovery and trial dates are reset as follows.

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|-----------------------------------|-----------|
| Deadline for Discovery Conference | 1/24/2014 |
| Discovery Opens | 1/24/2014 |
| Initial Disclosures Due | 2/23/2014 |
| Expert Disclosures Due | 6/23/2014 |

¹ The Board regrets the delay on attending to this matter.

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| Discovery Closes | 7/23/2014 |
| Plaintiff's Pretrial Disclosures | 9/6/2014 |
| Plaintiff's 30-day Trial Period Ends | 10/21/2014 |
| Defendant's Pretrial Disclosures | 11/5/2014 |
| Defendant's 30-day Trial Period Ends | 12/20/2014 |
| Plaintiff's Rebuttal Disclosures | 1/4/2015 |
| Plaintiff's 15-day Rebuttal Period Ends | 2/3/2015 |

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 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.