

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

emy

Mailed: November 3, 2014

Opposition No. 91212805

Italski, LLC d/b/a Striker Realty

v.

Striker Investment Realty

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

An answer to the notice of opposition was due (as last reset) in this proceeding on August 11, 2014. On August 12, 2014, applicant filed a consented motion to suspend the proceedings which was granted on the same day by the Board's Electronic System for Trademark Trials and Appeals (ESTTA).

On October 10, 2014 applicant filed a consented motion to suspend this proceeding for an additional 60 days. Inasmuch as it appears that no answer has been filed, the Board construes this request as a motion to reopen the time to file an answer to the notice of opposition and to reset discovery, disclosure and trial deadlines.

Because the parties are negotiating for a possible settlement of this case, proceedings are suspended up to, and including December 8, 2014 subject to the right of either party to request resumption at any time. *See* Trademark Rule 2.117(c) and TBMP § 605.02.

If the parties agree to another extension or suspension, they will be expected to report to the Board on the progress of discovery, or of any ongoing settlement negotiations. Such report must include: a recitation of discovery taken to date, a statement of issues that have been resolved and issues that remain to be resolved, and **a firm timetable for resolution**. Absent such a report, any future motion to extend or suspend may not be approved, even though agreed to by the parties.

In the event that there is no word from either party concerning the progress of their negotiations, upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board, upon the schedule set forth below.

Time to Answer	12/9/2014
Deadline for Discovery Conference	1/8/2015
Discovery Opens	1/8/2015
Initial Disclosures Due	2/7/2015
Expert Disclosures Due	6/7/2015
Discovery Closes	7/7/2015
Plaintiff's Pretrial Disclosures	8/21/2015
Plaintiff's 30-day Trial Period Ends	10/5/2015
Defendant's Pretrial Disclosures	10/20/2015
Defendant's 30-day Trial Period Ends	12/4/2015
Plaintiff's Rebuttal Disclosures	12/19/2015
Plaintiff's 15-day Rebuttal Period Ends	1/18/2016

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.

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.<sup>1</sup>

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<sup>1</sup> If the parties are (or during the pendency of this proceeding become) parties to another proceeding involving the subject application/registration, the parties must notify the Board so the Board can consider whether consolidation or suspension of proceedings is appropriate.