

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

MT

Mailed: September 9, 2014

Opposition No. 91212833

AstraZeneca AB

v.

Probiotal Spa

**Robert H. Coggins,
Interlocutory Attorney:**

Now before the Board are applicant's motions (both filed August 4, 2014) to extend time and to amend the application.

Motion to Amend

Applicant seeks to amend subject application Serial No. 79128403 and has provided an allegation of opposer's consent thereto. By the proposed amendment, applicant seeks to amend the identification of goods to:

Dietetic substances adapted for medical use, namely, dietetic substances adapted for medical purposes containing lactic acid bacteria; foods supplements containing lactic acid bacteria; nutritional additives for medical use containing lactic acid bacteria.

Inasmuch as the amendment is limiting in nature as required by Trademark Rule 2.71(a), the amendment matches the limitation received from the International Bureau, and opposer consents to the amendment, the

amendment is approved and entered. *See* Trademark Rule 2.133(a). *See also* TMEP §§ 1904.02(e)(ii), 1904.03(g), and 1906.01(e).

If entry of the amendment resolves the controversy between the parties, opposer should file a withdrawal of the opposition within thirty days from the mailing date of this order; failing which, this case will move forward on the schedule as reset below. *See* Trademark Rule 2.106(c).

Motion to Extend

Applicant's consented motion to extend the deadline to file an answer is granted. Dates are reset on the schedule below.

Time to Answer	11/9/2014
Deadline for Discovery Conference	12/9/2014
Discovery Opens	12/9/2014
Initial Disclosures Due	1/8/2015
Expert Disclosures Due	5/8/2015
Discovery Closes	6/7/2015
Plaintiff's Pretrial Disclosures	7/22/2015
Plaintiff's 30-day Trial Period Ends	9/5/2015
Defendant's Pretrial Disclosures	9/20/2015
Defendant's 30-day Trial Period Ends	11/4/2015
Plaintiff's Rebuttal Disclosures	11/19/2015
Plaintiff's 15-day Rebuttal Period Ends	12/19/2015

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 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.