

**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

Am

Mailed: March 19, 2015

Opposition No. 91212950

Opposition No. 91215647

McDonald's Corporation

v.

McFit GmbH

Cheryl S. Goodman, Administrative Trademark Judge:

On January 21, 2015, opposer filed a motion for leave to file an amended notice of opposition. On January 30, 2015 the parties filed a stipulated motion to extend discovery and trial dates.

The Board turns its attention to opposer's amended notice of opposition. The opposition proceedings were filed against Application Serial Nos. 79111190, 79129412 and 79129414 which were filed under Trademark Act § 66(a). Opposer's seeks to amended its notice of oppositions to assert an additional ground of no bona fide intent to use. Pursuant to 37 CFR § 2.107(b) pleadings in an opposition proceeding against an application filed under section 66(a) of the Act may be amended in the same manner and to the same extent as in a civil action in a United States district court, except that, once filed, the opposition may not be amended to add to the grounds for opposition or to add to the goods or services subject to opposition.

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In view thereof, opposer's amended notice of opposition is denied. The parties' stipulated motion to extend discovery and trial dates is granted.

Trial dates are reset as indicated below.

Expert Disclosures Due	<b>6/1/2015</b>
Discovery Closes	<b>7/1/2015</b>
Plaintiff's Pretrial Disclosures	<b>8/15/2015</b>
Plaintiff's 30-day Trial Period Ends	<b>9/29/2015</b>
Defendant's Pretrial Disclosures	<b>10/14/2015</b>
Defendant's 30-day Trial Period Ends	<b>11/28/2015</b>
Plaintiff's Rebuttal Disclosures	<b>12/13/2015</b>
Plaintiff's 15-day Rebuttal Period Ends	<b>1/12/2016</b>

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 Rule 2.128(a) and (b).

An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.