

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

Mailed: January 29, 2016

Opposition No. 91213057

Hybrid Athletics, LLC

v.

Hylete LLC

Ellen Yowell, Paralegal Specialist:

Opposer's consented motion filed December 17, 2015 to extend the remaining trial dates is granted nunc pro tunc.¹ See Trademark Rule 2.127(a).

Trial dates are reset in accordance with Opposer's motion.

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 Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

¹ Inasmuch as the motion seeks to reset a deadline that had already passed, namely the time for Plaintiff's rebuttal disclosures, the motion is construed as a motion to reopen.

The following documents are noted: Opposer's testimony filed September 11, 2015, October 15, 2015, November 13, 2015, and January 13, 2016; Applicant's testimony filed December 8, 2015.²

² Applicant's testimony does not include proof of service on Opposer. A copy of the testimony may be viewed using TTABVUE at: <http://ttabvue.uspto.gov/ttabvue/>.