

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

CME

Mailed: August 14, 2014

Opposition No. 91213573

The BioSolve Company

v.

Biocenosis Solutions, Inc.

Christen M. English, Interlocutory Attorney:

On July 23, 2014, Opposer filed a combined motion to compel and motion to extend. Applicant opposes the motions.

Opposer's motion to compel will be given no consideration because Opposer did not attach copies of the discovery requests at issue as required by Trademark Rule 2.120(e); *see also* TBMP § 523.02. Opposer's motion to extend also will be given no consideration because it is contingent on the Board granting Opposer's motion to compel, which by this order will be given no consideration. *See* Motion pp. 4-5 ("Opposer hereby moves the Board for a thirty (30) day extension of the discovery period for the limited purpose of allowing Opposer (and not Applicant) time to review Applicant's discovery responses ***as ordered by the Board***, and to pursue follow up discovery if necessary.... It is requested that the limited thirty (30) day extension ***run from the date of service of Applicant's discovery responses ordered by the Board.***") (emphasis added).

Proceedings are resumed and dates are reset as follows:

Discovery Closes	8/19/2014
Plaintiff's Pretrial Disclosures	10/3/2014
Plaintiff's 30-day Trial Period Ends	11/17/2014
Defendant's Pretrial Disclosures	12/2/2014
Defendant's 30-day Trial Period Ends	1/16/2015
Plaintiff's Rebuttal Disclosures	1/31/2015
Plaintiff's 15-day Rebuttal Period Ends	3/2/2015

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.
