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: November 4, 2015

Opposition No. 91216035

GoPro, Inc. Formerly Woodman Labs, Inc.

v.

Ross Walmsley

Victoria von Vistauxx, Paralegal Specialist:

On September 29, 2015, the Board issued an order suspending this proceeding in view of the withdrawal of Applicant's counsel on September 23, 2015. Applicant was allowed time in which to either appoint a new attorney or to state that Applicant would represent itself.

On November 2, 2015, in response to the above referenced order, Applicant notified the Board that it will represent itself in this proceeding.

Accordingly, proceedings herein are resumed and trial dates are reset as indicated below.

Expert Disclosures Due	**1/3/2016**
Discovery Closes	**2/3/2016**
Plaintiff's Pretrial Disclosures	**3/19/2016**
Plaintiff's 30-day Trial Period Ends	**5/3/2016**
Defendant's Pretrial Disclosures	**5/18/2016**
Defendant's 30-day Trial Period Ends	**7/2/2016**
Plaintiff's Rebuttal Disclosures	**7/17/2016**
Plaintiff's 15-day Rebuttal Period Ends	**8/16/2016**

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.l25.

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.l29.

Pro Se Information

The Board notes that Applicant, Ross Walmsley, is representing itself in this proceeding. Although Patent and Trademark Rule 11.l4 permits an entity to represent itself, it is strongly advisable for a party who is not acquainted with the technicalities of the procedural and substantive law involved in *inter partes* proceedings before the Board to secure the services of an attorney who is familiar with such matters. The United States Patent and Trademark Office (USPTO) cannot aid in the selection of an attorney. As the impartial decision maker, the Board may not provide legal advice; it may provide information solely as to procedure.

Any party who does not retain counsel should be familiar with the authorities governing this proceeding, including the Trademark Trial and Appeal Board Manual of Procedure (TBMP), and the Trademark Rules of Practice (37 C.F.R. Part 2), both accessible directly from the Board's web page: http://www.uspto.gov/trademarks/process/appeal/index.jsp. Also on the Board's web

page are links to ESTTA, the Board's electronic filing system[1] at http://estta.uspto.gov, and TTABVUE, for case status and prosecution history at http://ttabvue.uspto.gov/ttabvue.

Certificate of Service

Trademark Rules 2.119(a) and (b) require that every paper filed in the USPTO in a proceeding before the Board must be served upon the attorney for the other party, or on the party if there is no attorney. Proof of service must be made before the paper will be considered by the Board. Accordingly, copies of all papers filed in this proceeding must be accompanied by a signed statement indicating the date and manner in which such service was made. *See* TBMP § 113.03. The statement, whether attached to or appearing on the paper when filed, will be accepted as prima facie proof of service, must be signed and dated, and should take the form of a certificate of service as follows:

> **I hereby certify that a true and complete copy of the foregoing (insert title of submission) has been served on (insert name of opposing counsel or party) by mailing said copy on (insert date of mailing), via First Class Mail, postage prepaid (or insert other appropriate method of delivery) to: (name and address of opposing counsel or party).**
>
> **Signature**_____
> **Date**_____

Strict compliance with the Trademark Rules of Practice, and the Federal Rules of Civil Procedure (where applicable), is required of all parties before the Board,

[1] The Board strongly encourages parties to file all papers through ESTTA, which operates in real time and provides a tracking number that the filing has been received. For assistance in using ESTTA, call 571-272-8500.

whether or not they are represented by counsel. *See McDermott v. San Francisco Women's Motorcycle Contingent,* 81 USPQ2d 1212, n.2 (TTAB 2006).

This *inter partes* proceeding is similar to a civil action in a federal district court. The parties file pleadings and a range of possible motions. This proceeding includes designated times for disclosures, discovery (discovery depositions, interrogatories, requests for production of documents and things, and requests for admission, to ascertain the facts underlying an adversary's case), a trial period, and the filing of briefs. The Board does not preside at the taking of testimony; all testimony is taken out of the presence of the Board during the assigned testimony, or trial, periods, and the written transcripts thereof, together with any exhibits thereto, are then filed with the Board. No paper, document, or exhibit will be considered as evidence unless it has been introduced in evidence in accordance with the applicable rules.