

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: September 15, 2015

Opposition No. 91216969

*Forest Laboratories, LLC*

v.

*Sebela International Limited*

**George C. Pologeorgis,  
Interlocutory Attorney:**

Applicant's consented motion (filed September 14, 2015) to maintain suspension of this proceeding for an additional 120 days so that the parties may continue with their settlement negotiations is **GRANTED**.

In view thereof, proceedings remain suspended up to, and including, **January 15, 2016**, subject to the right of either party to request resumption at any time. *See* Trademark Rule 2.117(c), and 2.127(a); and TBMP § 605.02).

In the event that there is no word from either party concerning the progress of their negotiations, upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board, upon the schedule set forth below.

Proceedings Resume:

**January 16, 2016**

Discovery is open upon resumption.

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Expert Disclosures Due	<b>2/15/2016</b>
Discovery Closes	<b>3/16/2016</b>
Plaintiff's Pretrial Disclosures Due	<b>4/30/2016</b>
Plaintiff's 30-day Trial Period Ends	<b>6/14/2016</b>
Defendant's Pretrial Disclosures Due	<b>6/29/2016</b>
Defendant's 30-day Trial Period Ends	<b>8/13/2016</b>
Plaintiff's Rebuttal Disclosures Due	<b>8/28/2016</b>
Plaintiff's 15-day Rebuttal Period Ends	<b>9/27/2016</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 Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.<sup>1</sup>

As a final matter, by order dated May 18, 2015, the Board, *inter alia*, denied without prejudice Opposer's motion (filed March 31, 2015) for summary judgment and Applicant's cross-motion (filed April 30, 2015) for Rule 56(d) discovery. If a party believes its motion pending was not resolved or made moot in light of any settlement agreement entered into by the parties or, alternatively, the parties reach an impasse with regard to settlement, the party may renew the motion by citing its title, date of filing, and docket entry in the Board's electronic proceeding file. Any

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<sup>1</sup> If the parties are (or during the pendency of this proceeding become) parties to another proceeding involving the subject application/registration, the parties must notify the Board so the Board can consider whether consolidation or suspension of proceedings is appropriate.

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motion renewed must be accompanied by a signed statement that the motion has been reviewed in its entirety and concerns matters still disputed between the parties. If the renewed motion was contested at the time of suspension and the nonmoving party believes that its original response requires supplementation in view of events since suspension, the non-moving party has FIFTEEN DAYS from the date of service of the renewal of the motion to file a supplemental response.