

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: October 22, 2015

Opposition No. 91217722

Ergowerx LLC

v.

Smartfish Group, Incorporated

Karl Kochersperger, Paralegal Specialist:

Applicant's consented motion filed October 9, 2015 to extend time to file an answer to the notice of opposition, and to extend conference, disclosure, discovery and trial dates, is granted. Trademark Rule 2.127(a).

Answer is due December 9, 2015. The conference, disclosure, discovery and trial dates are reset in accordance with Applicant'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 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.

The Board notes that there have been numerous extensions granted in this proceeding. The parties are advised that to continue to seek further extensions after

this period expires, the parties will be expected to make a showing of good cause for any further extensions. This is true even when both parties stipulate to the request. Should either party submit another motion for an extension of time or suspension, said motion must be accompanied by a showing of good cause, which must comprise a detailed status report regarding the progress of the parties' settlement negotiations, including when the last settlement proposal was sent, by whom, and when a response is expected, a recitation of the issues that have been resolved since the commencement of the proceeding, a list of issues that remain to be resolved, and a timetable for resolution. Confidential information may be so designated and will be barred from public viewing.