

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 9, 2014

Opposition No. 91217792

Andale Energy Drink Co., LLC

v.

ACP IP, LLC

Denise M. DelGizzi,
Technical Program Manager:

On September 19, 2014, applicant filed an answer to the opposition and a counterclaim to cancel opposer's pleaded Registration No. 4455859. Applicant submitted the required fee.

Opposer and counterclaim defendant, Andale Energy Drink Co., LLC, is allowed until thirty days from the mailing date of this order to file an answer to the counterclaim. *See* Trademark Rule 2.106(b)(2)(iii).

In accordance with the Trademark Rules of Practice, conferencing, disclosure, discovery and testimony periods are reset as indicated below. *See* Trademark Rule 2.121(b)(2). 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. *See* Trademark Rule 2.125.

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Answer to Counterclaim Due	11/8/2014
Deadline for Discovery Conference	12/8/2014
Discovery Opens	12/8/2014
Initial Disclosures Due	1/7/2015
Expert Disclosures Due	5/7/2015
Discovery Closes	6/6/2015
Plaintiff's Pretrial Disclosures	7/21/2015
30-day testimony period for plaintiff's testimony to close	9/4/2015
Defendant/Counterclaim Plaintiff's Pretrial Disclosures	9/19/2015
30-day testimony period for defendant and plaintiff in the counterclaim to close	11/3/2015
Counterclaim Defendant's and Plaintiff's Rebuttal Disclosures Due	11/18/2015
30-day testimony period for defendant in the counterclaim and rebuttal testimony for plaintiff to close	1/2/2016
Counterclaim Plaintiff's Rebuttal Disclosures Due	1/17/2016
15-day rebuttal period for plaintiff in the counterclaim to close	2/16/2016
Brief for plaintiff due	4/16/2016
Brief for defendant and plaintiff in the counterclaim due	5/16/2016
Brief for defendant in the counterclaim and reply brief, if any, for plaintiff due	6/15/2016
Reply brief, if any, for plaintiff in the counterclaim due	6/30/2016

If the parties file a motion to suspend or extend these dates, the motion should set forth the proposed dates in the format shown in this order. *See* Trademark Rule 2.121(d).

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.