

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 7, 2015

Opposition No. 91219109

Monster Energy Company

v.

Cuttwood, LLC

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

Opposer's consented motion (filed August 31, 2015) to extend trial dates by sixty days, beginning with Applicant's deadline to file an answer to the notice of opposition, is **GRANTED**. Trademark Rule 2.127(a).

Accordingly, answer, conference, disclosure, discovery and trial dates, are reset as indicated below:

Time to Answer	11/3/2015
Deadline for Discovery Conference	12/3/2015
Discovery Opens	12/3/2015
Initial Disclosures Due	1/2/2016
Expert Disclosures Due	5/1/2016
Discovery Closes	5/31/2016
Plaintiff's Pretrial Disclosures Due	7/15/2016
Plaintiff's 30-day Trial Period Ends	8/29/2016
Defendant's Pretrial Disclosures Due	9/13/2016
Defendant's 30-day Trial Period Ends	10/28/2016
Plaintiff's Rebuttal Disclosures Due	11/12/2016
Plaintiff's 15-day Rebuttal Period Ends	12/12/2016

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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 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.

As a final matter, the Board notes that since December 2014, the parties have effected numerous stipulations to suspend this proceeding to accommodate the parties' settlement negotiations, yet no settlement has been reached nor have issues been joined in this case. Accordingly, if the parties agree to another extension or suspension for settlement, they will be expected to report to the Board on the progress of their settlement negotiations. Such report **must** include a recitation of issues that have been resolved, identification of the settlement activities which have occurred **for each month since December 2014**, including the dates upon which proposed settlement agreements have been provided for review (whether to in-house counsel or outside counsel), dates when the reviewed proposed settlement agreement has been provided to the adverse party, and dates when the adverse party has provided its comments,¹ issues that remain to be resolved, and a firm timetable for resolution. Absent such a report, any future motion to extend or suspend, even though agreed to by the parties, will not be granted.

¹ If no settlement activity has occurred for any month since December 2014, the parties must explain why no settlement activity occurred.