

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

wbc

Mailed: October 1, 2015

Opposition No. 91221511

NIKE, Inc.

v.

Capital E Finance Co, LLC

Wendy Boldt Cohen, Interlocutory Attorney:

On August 25, 2015, Opposer filed a “Stipulation of Parties for Use of Accelerated Case Resolution (ACR) Procedure.” The parties’ stipulation to elect the Board’s accelerated case procedure in this proceeding is noted and made of record. The parties’ stipulations regarding the proceeding and agreed trial schedule are also noted and made of record. *See* TBMP § 705 (2015) and cases cited therein. The parties have agreed to treat the briefs and accompanying evidence as the final briefs and records in this proceeding. *See, e.g., Fiserv, Inc. v. Electronic Transaction Systems Corp.*, 113 USPQ2d 1913, 1916 (TTAB 2015); *Blackhorse v. Pro-Football Inc.*, 111 USPQ2d 1080, 1084-85 (TTAB 2014); *Target Brands Inc. v. Hughes*, 85 USPQ2d 1676, 1678 (TTAB 2007); *UMG Recordings Inc. v. Mattel, Inc.*, 100 USPQ2d 1868, 1875 (TTAB 2011). In furtherance thereof, the parties have stipulated that the

Opposition No. 91221511

Board may resolve any genuine disputes of material fact that may be presented by the record.

In view of the foregoing and the parties' stipulation,¹ the trial schedule is reset as follows:

Opposer's Proposed Stipulation of Facts Due to Applicant:	November 6, 2015
Applicant's Additions and Revisions to Opposer's Proposed Stipulation of Facts due to Opposer:	December 6, 2015
Stipulation of Facts filed with Board:	January 5, 2016
Opposer's ACR Brief and Evidence Due:	February 4, 2016
Applicant's ACR Brief and Evidence Due:	March 5, 2016
Opposer's Rebuttal ACR Brief and Evidence Due:	April 5, 2016

The Board will endeavor to issue its decision within fifty days from the date of submission on brief.

¹ The Board may, as necessary, or the parties may request, as necessary, that the Board convene a teleconference with the parties to discuss any outstanding issues, progress of the proceeding, and/or any other topics concerning this proceeding and ACR.