

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: August 7, 2015

Opposition No. 91221949

Novadaq Technologies Inc.

v.

Medtronic Ardian Luxembourg S.a.r.l.

Amy Matelski, Paralegal Specialist:

Opposer's consented motion (filed July 28, 2015) to suspend this proceeding for 60-days is granted as modified below.¹

Because the parties are negotiating for a possible settlement of this case, proceedings are suspended, 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.

¹ The trial schedule set forth in opposer's electronically generated motion, did not take into consideration the initial disclosure deadline. Opposer's attention is directed to the statement on the ESTTA website, which informs the parties that they should not use the consent motions forms if the proceeding was instituted on or after November 1, 2007. Instead the parties should file its motions to extend utilizing the general filings tab.

Initial Disclosures Due	10/20/2015
Expert Disclosures Due	2/17/2016
Discovery Closes	3/18/2016
Plaintiff's Pretrial Disclosures	5/2/2016
Plaintiff's 30-day Trial Period Ends	6/16/2016
Defendant's Pretrial Disclosures	7/1/2016
Defendant's 30-day Trial Period Ends	8/15/2016
Plaintiff's Rebuttal Disclosures	8/30/2016
Plaintiff's 15-day Rebuttal Period Ends	9/29/2016

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.²

² Applicant's answer to the notice of opposition, filed June 22, 2015 is noted and accepted. 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.