

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: April 25, 2016

Opposition No. 91221951

*Geoffrey, LLC*

*v.*

*Hair Are Us, Inc.*

**Geoffrey M. McNutt, Interlocutory Attorney:**

Opposer's March 4, 2016, motion to dismiss Applicant's amended counterclaim pursuant to Fed. R. Civ. P. 12(b)(6) is **granted** as conceded.<sup>1</sup> Trademark Rule 2.127(a).

Accordingly, Applicant's counterclaim is dismissed and the case will proceed solely on Opposer's pleaded claims of likelihood of confusion and dilution.

Discovery and trial dates are reset as follows.

Initial Disclosures Due	<b>6/3/2016</b>
Expert Disclosures Due	<b>10/1/2016</b>
Discovery Closes	<b>10/31/2016</b>
Plaintiff's Pretrial Disclosures	<b>12/15/2016</b>
Plaintiff's 30-day Trial Period Ends	<b>1/29/2017</b>
Defendant's Pretrial Disclosures	<b>2/13/2017</b>
Defendant's 30-day Trial Period Ends	<b>3/30/2017</b>
Plaintiff's Rebuttal Disclosures	<b>4/14/2017</b>

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<sup>1</sup> The parties previously agreed to accept service of papers by email. *See* 9 TTABVue 8. Therefore, they are not entitled to the additional five days for service provided under Trademark Rule 2.119(c). *Id.* Thus, Applicant's response to Opposer's motion to dismiss was due by March 19, 2016. *See* Trademark Rule 2.127(a).

Plaintiff's 15-day Rebuttal Period Ends **5/14/2017**

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.