

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: December 18, 2015

Opposition No. 91224436

Joan Herlong

v.

Sharon Wilson

**Robert H. Coggins,**  
**Interlocutory Attorney:**

Inasmuch as Fed. R. Civ. P. 15(a)(1)(B) allows Opposer to amend the notice of opposition as a matter of course within twenty-one days after service of a motion under Fed. R. Civ. P. 12(b), the Amended Notice of Opposition (filed December 8, 2015, at 5 TTABVUE<sup>1</sup>) is accepted as a matter of course and Applicant's motion to dismiss is **moot**. See TBMP § 503.03 (2015). Applicant is allowed until **January 18, 2016**, in which to file an answer to the amended complaint. Dates are **reset** on the following schedule:

Time to Answer	1/18/2016
Deadline for Discovery Conference	2/17/2016
Discovery Opens	2/17/2016
Initial Disclosures Due	3/18/2016

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<sup>1</sup> Citations to TTABVUE refer to the Board's electronic case file database, by entry and page number. See *In re Heatcon, Inc.*, 116 USPQ2d 1366, 1369 n.4 (TTAB 2015). The Board prefers that the parties cite to TTABVUE for material in the record. See *Turdin v. Trilobite, Ltd.*, 109 USPQ2d 1473, 1476 n.6 (TTAB 2014).

Expert Disclosures Due	7/16/2016
Discovery Closes	8/15/2016
Plaintiff's Pretrial Disclosures	9/29/2016
Plaintiff's 30-day Trial Period Ends	11/13/2016
Defendant's Pretrial Disclosures	11/28/2016
Defendant's 30-day Trial Period Ends	1/12/2017
Plaintiff's Rebuttal Disclosures	1/27/2017
Plaintiff's 15-day Rebuttal Period Ends	2/26/2017

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.