

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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GCP

Mailed: December 15, 2015

Opposition No. 91225166

Warner Bros. Entertainment Inc.

v.

Treasury Wine Estates Americas Company

By the Trademark Trial and Appeal Board:

Treasury Wine Estates Americas Company (“Applicant”) seeks to register the mark TAZ, in standard characters, for “wine” in International Class 33.¹

On December 2, 2015, Warner Bros. Entertainment Inc. (“Opposer”) filed a notice of opposition opposing the registration of Applicant’s involved mark on the following two grounds: (1) likelihood of confusion under Section 2(d) of the Trademark Act, and (2) false suggestion of a connection under Section 2(a) of the Trademark Act.

On December 9, 2015, Opposer filed an amended notice of opposition.

Pursuant to Fed. R. Civ. P. 15(a), a party to an *inter partes* proceeding before the Board may amend its pleading once as a matter of course within 21 days after serving it. TBMP § 507.02 (2015). Here, Opposer filed its amended pleading within

¹ Application Serial No. 86202212, filed on February 24, 2014, based on an allegation of use in commerce under Section 1(a) of the Trademark Act, claiming 2004 as both the date of first use and the date of first use in commerce.

21 days after serving its initial pleading. Accordingly, Opposer's amended notice of opposition filed on December 9, 2015 is accepted as a matter of course and now constitutes Opposer's operative pleading in this case. Fed. R. Civ. P. 15(a).

Applicant is allowed until **January 14, 2016** in which to file an answer or otherwise respond to Opposer's amended pleading. Remaining trial dates are reset as follows:

Deadline for Discovery Conference	2/13/2016
Discovery Opens	2/13/2016
Initial Disclosures Due	3/14/2016
Expert Disclosures Due	7/12/2016
Discovery Closes	8/11/2016
Plaintiff's Pretrial Disclosures Due	9/25/2016
Plaintiff's 30-day Trial Period Ends	11/9/2016
Defendant's Pretrial Disclosures Due	11/24/2016
Defendant's 30-day Trial Period Ends	1/8/2017
Plaintiff's Rebuttal Disclosures Due	1/23/2017
Plaintiff's 15-day Rebuttal Period Ends	2/22/2017

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.