

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

em

Mailed: June 23, 2016

Opposition No. 91226199

Societe des Produits Nestle S.A.

v.

Cecilia Farell

Eric McWilliams, Supervisory Paralegal:

In the Board's May 5, 2016 order, Opposer was allowed until May 16, 2016, to file an amended pleading. Additionally, in that order, Applicant was allowed until June 13, 2016, in which to file its answer to the amended pleading. Opposer filed its amended pleading on May 16, 2016. In response to Opposer's filing of its amended pleading, the Board issued an order accepting the amended pleading as a matter of course and resetting dates including Applicant's time to file an amended answer.

The Board's May 30, 2016 order was issued in error in that Opposer filed the amended pleading in response to the Board's May 5, 2016 order and not as a matter of course. Accordingly, the May 5, 2016 order is hereby vacated.

In view of the potential confusion for Applicant, of the due date for its amended answered, caused by the Board's issuance of its May 5, 2016 order, Applicant's answer filed on June 22, 2016 in response to the amended pleading is accepted and entered into the record.

Discovery is now open and the disclosure, discovery, and trial dates will remain as previously set in the Board's May 5, 2016 order copied below for ease of reference by the parties.

Initial Disclosures Due	7/13/2016
Expert Disclosures Due	11/10/2016
Discovery Closes	12/10/2016
Plaintiff's Pretrial Disclosures	1/24/2017
Plaintiff's 30-day Trial Period Ends	3/10/2017
Defendant's Pretrial Disclosures	3/25/2017
Defendant's 30-day Trial Period Ends	5/9/2017
Plaintiff's Rebuttal Disclosures	5/24/2017
Plaintiff's 15-day Rebuttal Period Ends	6/23/2017

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 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.