

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: July 26, 2016

Opposition No. 91227258

Mattel, Inc.

v.

Anastasia Lilly, LLC

Monique Tyson, Paralegal Specialist:

The stipulated motion filed July 20, 2016 to extend trial dates, including the deadline for discovery conference is noted.

In the stipulated motion, the parties seeks time for the parties to negotiate settlement. The parties are reminded that the trademark rules place on the parties a shared responsibility to conference to discuss the scope of the pleadings, the possibility of settlement and planning for disclosures and discovery, as explained in the notice of institution. The Board does not find in the stipulated motion good cause to delay the parties' required conference to allow for settlement talks when the parties are required to discuss settlement in the conference. See "Miscellaneous Changes to Trademark Trial and Appeal Board Rules.

if a motion to extend or suspend for settlement talks, arbitration or mediation is not filed prior to answer, then the parties will have to proceed, after the answer is filed, to their discovery conference, one point of which is to discuss settlement. It is unlikely the Board will find good cause for a motion to extend or suspend for settlement if the motion is filed after answer but prior to the discovery conference,

precisely because the discovery conference itself provides an opportunity to discuss settlement.

Inasmuch as the circumstances recited in the extension request are not deemed to be extraordinary in nature, the request is denied. Nonetheless, because the parties may not, under the applicable rules, engage in discovery activities without first making the required initial disclosures, the deadline for making such disclosures and all subsequent dates are hereby reset as follows: See Trademark Rule 2.120(a)(2).

Initial Disclosures Due	8/18/2016
Expert Disclosures Due	12/16/2016
Discovery Closes	1/15/2017
Plaintiff's Pretrial Disclosures	3/1/2017
Plaintiff's 30-day Trial Period Ends	4/15/2017
Defendant's Pretrial Disclosures	4/30/2017
Defendant's 30-day Trial Period Ends	6/14/2017
Plaintiff's Rebuttal Disclosures	6/29/2017
Plaintiff's 15-day Rebuttal Period Ends	7/29/2017

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.