

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: September 1, 2016

Opposition No. 91229064

Intuitive Surgical, Inc.

v.

Abbott Medical Optics Inc.

Joi M Wilson, Paralegal Specialist:

On August 29, 2016, Applicant filed an answer to the opposition and a counterclaim to cancel Opposer's pleaded Registration No. 2381701. Applicant submitted the required fee.

Opposer and counterclaim defendant, Intuitive Surgical, Inc., is allowed until thirty days from the mailing date of this order to file an answer to the counterclaim. See Trademark Rule 2.106(b) (2) (iii).

In accordance with the Trademark Rules of Practice, conferencing, disclosure, discovery and testimony periods are reset as indicated below. See Trademark Rule 2.121(b)(2). 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. *See* Trademark Rule 2.125.

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| Answer to Counterclaim Due | 10/1/2016 |
| Deadline for Discovery Conference | 10/31/2016 |
| Discovery Opens | 10/31/2016 |
| Initial Disclosures Due | 11/30/2016 |
| Expert Disclosures Due | 3/30/2017 |
| Discovery Closes | 4/29/2017 |
| Plaintiff's Pretrial Disclosures | 6/13/2017 |
| 30-day testimony period for plaintiff's testimony to close | 7/28/2017 |
| Defendant/Counterclaim Plaintiff's Pretrial Disclosures | 8/12/2017 |
| 30-day testimony period for defendant and plaintiff in the counterclaim to close | 9/26/2017 |
| Counterclaim Defendant's and Plaintiff's Rebuttal Disclosures Due | 10/11/2017 |
| 30-day testimony period for defendant in the counterclaim and rebuttal testimony for plaintiff to close | 11/25/2017 |
| Counterclaim Plaintiff's Rebuttal Disclosures Due | 12/10/2017 |
| 15-day rebuttal period for plaintiff in the counterclaim to close | 1/9/2018 |
| Brief for plaintiff due | 3/10/2018 |
| Brief for defendant and plaintiff in the counterclaim due | 4/9/2018 |
| Brief for defendant in the counterclaim and reply brief, if any, for plaintiff due | 5/9/2018 |
| Reply brief, if any, for plaintiff in the counterclaim due | 5/24/2018 |

If the parties file a motion to suspend or extend these dates, the motion should set forth the proposed dates in the format shown in this order. *See* Trademark Rule 2.121(d).

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.