

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

tdc

Mailed: September 15,
2010
Cancellation No. 92044624
J. Christopher Carnovale
v.
The Brand Experience LLC

Jennifer Krisp, Interlocutory Attorney:

Petitioner's motion to compel (filed July 8, 2010) is granted as conceded. See Trademark Rule 2.127(a).

In view thereof, respondent is directed, within thirty days of the mailing date of this order to serve responses, without objection, to petitioner's second set of interrogatories, and second request for production of documents. See *Bison Corp. v. Perfecta Chemie B.V.*, 4 USPQ2d 1718, (TTAB 1987).

In the event respondent fails to respond to petitioner's discovery requests as ordered, petitioner's remedy lies in a motion for judgment pursuant to Trademark Rule 2.120(g), as appropriate.

Proceedings are resumed. Trial dates are reset as indicated below.

30-day testimony period for party in position of plaintiff to close: 12/03/10

30-day testimony period for party in position of defendant to close: 02/01/11

15-day rebuttal testimony period to close: 03/18/11

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 Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.