

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

Mailed: December 19, 2013

Cancellation No. 92052897

Thomas Sköld

v.

Galderma Laboratories, Inc.

Ann Linnehan, Interlocutory Attorney

The parties in this matter contacted the Board attorney assigned to this case by telephone to inquire about the Board's participation in a conference to settle a dispute between the parties involving certain exhibits and a recent deposition taken during petitioner's testimony period. Because of the procedural posture of the proceeding, the Board attorney determined that such dispute should be decided by telephone conference. The telephone conference was held at 11:30 am EST on December 19, 2013. Mr. Jackson, attorney for petitioner, Ms. Congleton and Mr. Rochford, attorneys for respondent, and the Interlocutory Attorney were present. During the conference, both parties were allowed time to present their view of the dispute as well as offer their solution to the matter.

As a follow up to that conversation, this order confirms the determinations of the Board.

The Board finds it appropriate to reopen petitioner's testimony period for the **sole purpose** of conducting a second deposition of the witness previously deposed in order to introduce the disputed documents.¹ To the extent this witness is located in Sweden, the Board finds it appropriate (and the parties have agreed) that such deposition will be taken/attended by telephone.²

In view thereof, trial dates are reset as follows:

Plaintiff's 30-day Trial Period Ends	1/30/2014
Defendant's Pretrial Disclosures	2/14/2014
Defendant's 30-day Trial Period Ends	3/31/2014
Plaintiff's Rebuttal Disclosures	4/15/2014
Plaintiff's 15-day Rebuttal Period Ends	5/15/2014

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 of 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.

¹ The trial schedule, of course, will be reset to allow for scheduled vacations due to the upcoming holidays.

² A deposition may be taken or attended by telephone either by stipulation of the parties or upon motion granted by the Board. See Fed. R. Civ. P. 30(b)(4); *Hewlett-Packard Co. v. Healthcare Personnel Inc.*, 21 USPQ2d 1552 (TTAB 1991).