

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

Mailed: October 22, 2012

Cancellation No. 92055020

Tech Data Corporation

v.

StreamOne

**Robert H. Coggins,
Interlocutory Attorney:**

The record showing no response by respondent to petitioner's motion (filed August 16, 2012) to compel initial disclosures and discovery responses, the motion is hereby granted as conceded. See Trademark Rules 2.120(e)(1) and 2.127(a).

Respondent StreamOne is allowed until November 8, 2012, in which to provide its initial disclosures and complete responses to petitioner's interrogatories and document requests. In addition, respondent may not serve any discovery requests until it complies with this order (See Trademark Rule 2.120(a)(3)), and respondent's responses must be made without objection because respondent failed either to timely respond

Cancellation No. 92055020

or to object to petitioner's discovery requests (*See No Fear Inc. v. Rule*, 54 USPQ2d 1551 (TTAB 2000)).

Should respondent fail to provide the ordered disclosures and responses, then petitioner's remedy will lie in a motion for entry of sanctions, in the form of entry of judgment sustaining the opposition. See Trademark Rule 2.120(g).

Proceedings are resumed. Discovery, trial, and other dates are reset as follows.

Respondent's Initial Disclosures and Discovery Responses Due	11/8/2012
Expert Disclosures Due	11/14/2012
Discovery Closes	12/14/2012
Plaintiff's Pretrial Disclosures	1/28/2013
Plaintiff's 30-day Trial Period Ends	3/14/2013
Defendant's Pretrial Disclosures	3/29/2013
Defendant's 30-day Trial Period Ends	5/13/2013
Plaintiff's Rebuttal Disclosures	5/28/2013
Plaintiff's 15-day Rebuttal Period Ends	6/27/2013

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