

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

Mailed: August 12, 2013

Cancellation No. 92057179

AstraZeneca AB

v.

Sigma-Tau Industries Farmaceutiche
Riunite S.p.A.

Veronica P. White, Paralegal Specialist:

On July 22, 2013, petitioner filed a consented motion for suspension to allow the parties to continue their settlement efforts and also informed the Board that the parties have not yet held their discovery conference. However, after an answer is filed,¹ the Board will not, absent extraordinary circumstances not present here, find good cause to extend the deadline for the discovery conference for settlement negotiations, even upon stipulation or consent. See "Miscellaneous Changes to Trademark Trial and Appeal Board Rules," 72 Fed. Reg. 42242, 42245 (August 1, 2007):

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

¹ Respondent's answer (filed June 17, 2013) is noted.

answer but prior to the discovery conference, precisely because the discovery conference itself provides an opportunity to discuss settlement.

In view thereof, petitioner's consented motion is **DENIED**.

Trial dates remain as previously set in the Board's order of May 14, 2013. After the parties conduct the required discovery conference, the Board will entertain any motions to extend or suspend for settlement, as appropriate.

If, either of the parties or their attorneys should have a change of address, the Board should be so informed.²

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² The Board's records have been updated to reflect respondent's appearance of counsel (filed May 23, 2013).