

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: July 19, 2014

Cancellation No. 92057462

CytoSport, Inc.

v.

Evolv Health, LLC

Monique Tyson, Paralegal Specialist:

Respondent's consented motion filed July 7, 2014 to extend time to file an answer to the petition to cancel, and to extend conference, disclosure, discovery and trial dates, is granted. Trademark Rule 2.127(a).¹

Answer is due September 6, 2014. The conference, disclosure, discovery and trial dates are reset in accordance with respondent's motion.

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.

¹ If the parties agree to another extension or suspension, they will be expected to report to the Board on the progress of discovery, or of any ongoing settlement negotiations. Such report must include: a recitation of discovery taken to date, a statement of issues that have been resolved and issues that remain to be resolved, and a firm timetable for resolution. Absent such a report, any future motion to extend or suspend may not be approved, even though agreed to by the parties.

Cancellation No. 92057462

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.