

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

Mailed: January 22, 2014

Cancellation No. 92058143

Van de Wall B.V.

v.

D-Minor, Inc.

Rochelle Adams, Paralegal Specialist:

On November 5, 2013, petitioner served its notice of petition to cancel. On December 15, 2013, respondent filed its answer to the petition to cancel.

On January 6, 2014, petitioner filed an amended notice of petition to cancel all of which is noted.

Pursuant to Fed. R. Civ. P. 15(a)(1), made applicable to Board proceedings by Trademark Rule 2.116(a), a party may amend its pleading once as a matter of course within 21 days after serving it, or if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under Fed. R. Civ. P. 12(b), (e) or (f), whichever is earlier.

Said amended petition to cancel was filed as a matter of course, and is accepted as petitioner's operative pleading in this proceeding. See Fed. R. Civ. P. 15(a)(1)(A) and (B); see also Trademark Rules 2.107 and 2.115.

Respondent is allowed until February 21, 2014 in which to file an answer to the amended petition to cancel.

Accordingly, conferencing, discovery and trial dates are hereby reset as follows:

Deadline for Discovery Conference	3/22/2014
Discovery Opens	3/22/2014
Initial Disclosures Due	4/21/2014
Expert Disclosures Due	8/19/2014
Discovery Closes	9/18/2014
Plaintiff's Pretrial Disclosures	11/2/2014
Plaintiff's 30-day Trial Period Ends	12/17/2014
Defendant's Pretrial Disclosures	1/1/2015
Defendant's 30-day Trial Period Ends	2/15/2015
Plaintiff's Rebuttal Disclosures	3/2/2015
Plaintiff's 15-day Rebuttal Period Ends	4/1/2015

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.