

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

cv/apb

Mailed: January 2, 2008

Opposition No. 91162348

Sara Lee Global Finance,
L.L.C

v.

Sport Supply Group, Inc.

Clara Vela, Paralegal Specialist:

Applicant's consented motion (filed November 20, 2007) to suspend this case for settlement negotiations is granted. Proceedings herein are suspended until January 21, 2008, subject to the right of either party to request resumption at any time. See Trademark Rule 2.117(c).

If there is no word from either party concerning the progress of their negotiations by January 21, 2008, proceedings herein will resume automatically on January 22, 2008 without further action by the Board under the schedule set forth in applicant's motion. The parties will be allowed until February 21, 2008 to serve responses to any outstanding written discovery requests.¹

¹ Additionally, the Board notes that, although this proceeding has been pending for more than three years, the discovery period has not yet closed. If the parties request any further extensions or suspensions herein based on settlement negotiations, the parties must provide a detailed report on the progress of their settlement negotiations which establishes good

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.

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

NEWS FROM THE TTAB:

The USPTO published a notice of final rulemaking in the Federal Register on August 1, 2007, at 72 F.R. 42242. By this notice, various rules governing Trademark Trial and Appeal Board inter partes proceedings are amended. Certain amendments have an effective date of August 31, 2007, while most have an effective date of November 1, 2007. For further information, the parties are referred to a reprint of the final rule and a chart summarizing the affected rules, their changes, and effective dates, both viewable on the USPTO website via these web addresses:
<http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf>
http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf

cause for the extension or suspension sought. See Trademark Rule 2.117(c); TBMP Section 605.02 (2d ed. rev. 2004). That report must include a recitation of issues that have been resolved, a recitation of issues that remain to be resolved, and 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.**

By one rule change effective August 31, 2007, the Board's standard protective order is made applicable to all TTAB inter partes cases, whether already pending or commenced on or after that date. However, as explained in the final rule and chart, this change will not affect any case in which any protective order has already been approved or imposed by the Board. Further, as explained in the final rule, parties are free to agree to a substitute protective order or to supplement or amend the standard order even after August 31, 2007, subject to Board approval. The standard protective order can be viewed using the following web address:

<http://www.uspto.gov/web/offices/dcom/ttab/tbmp/stndagmnt.htm>