

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

Mailed: February 2, 2007

Opposition No. 91167259

Booster Juice Limited
Partnership

v.

Boost Juice Holdings Pty Ltd;
ACN 102 37 9 591

Cheryl Goodman, Interlocutory Attorney:

This case now comes up on applicant's motion to compel, filed November 3, 2006.

In support of its motion to compel, applicant advises that it served discovery requests on opposer on April 19, 2006; that it agreed to an extension of time for opposer to serve its responses; that opposer served its responses on June 30, 2006; that with regard to certain interrogatories and document requests, opposer objected on the basis of confidentiality; that although opposer stated in response to the document requests that it would provide responsive non-confidential documents it has not done so; that even after the Board's entry of the its standard protective order, opposer has not provided the confidential documents or responded to the interrogatories that it objected to as

seeking confidential information; and that applicant has made a good faith effort to resolve the dispute.

Opposer has filed no response thereto.

Accordingly, applicant's motion to compel is granted as conceded. Moreover, in view of the entry of the Board's standard protective order, any confidentiality objections are overruled. See Trademark Rule 2.127(a).

Opposer is allowed until THIRTY DAYS from the mailing date of this order to supplement its responses to the interrogatories and to produce responsive documents that applicant has identified as outstanding in its motion to compel.

Trial dates are reset as follows:

DISCOVERY PERIOD TO CLOSE:	CLOSED
30-day testimony period for party in position of plaintiff to close:	April 3, 2007
30-day testimony period for party in position of defendant to close:	June 2, 2007
15-day rebuttal testimony period for party in position of plaintiff to close:	July 17, 2007

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.