

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

MBA

Mailed: February 4, 2009

Opposition No. 91171206

Sunbeam Products, Inc.

v.

Osram GmbH

Michael B. Adlin, Interlocutory Attorney:

Applicant's consent motion for extension of the testimony periods, filed February 3, 2009, is not germane to opposer's pending motion to compel, and pursuant to the Board's order of December 23, 2008, will be given no further consideration. The parties' stipulated motion for extension, also filed February 3, 2009, is **GRANTED**.

Trademark Rule 2.127(a).¹ Opposer is allowed until March 11, 2009 to respond to applicant's first sets of interrogatories and document requests, and applicant is allowed until March 1, 2009 to respond to opposer's motion

¹ Applicant failed to serve the motion on opposer, in violation of Trademark Rule 2.119. To expedite matters, a copy of the motion is enclosed with the mailed copy of this order. Strict compliance with Trademark Rule 2.119 is required in all future filings, and failure to comply will result in the filing not being considered.

to compel. Testimony periods will be reset upon resolution of the motion to compel. Proceedings herein remain suspended pending a ruling on the motion to compel.

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

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>
