

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

MBA

Mailed: June 23, 2008

Opposition No. 91172536

Newport Electronics, Inc.

v.

Gainco, Inc.

Michael B. Adlin, Interlocutory Attorney:

Opposer's consented motions to extend its time for filing a brief, filed April 21, May 21 and June 20, 2008 are all granted. Trademark Rule 2.127(a). Dates are reset as set forth in the consent motion of June 20, 2008. However, opposer's efforts to comply with the Board's order of March 17, 2008 have been scant at best, and any further requests for extension will have to be better supported.

Specifically, any further requests for extension must include a detailed description, much more detailed than in the past, of the parties' settlement efforts since the time the last extension was granted. Absent such a sufficiently detailed report, any future motion to extend or suspend may not be approved, even though agreed to by the parties.

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/stdagmnt.htm>
