

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

Mailed: February 20, 2008

Opposition No. 91180734

Oliver McMillan Corporation

v.

Starwood Hotels & Resorts  
Worldwide, Inc.

George C. Pologeorgis, Interlocutory Attorney:

On December 11, 2007, the Board issued an order granting applicant's consented motion (filed November 28, 2007) to suspend these proceedings for six months so that the parties could pursue settlement negotiations. In said order, the Board neglected to include the resetting of appropriate dates upon resumption of these proceedings, i.e., deadlines for discovery conference, initial disclosures, expert disclosures, and pretrial disclosures. The Board regrets the error.

In view thereof, the Board's December 11, 2007 order is modified to the extent that, upon resumption of these proceedings on June 12, 2008,<sup>1</sup> the following dates are reset:

Time to Answer	7/12/2008
Deadline for Discovery Conference	8/11/2008
Discovery Opens	8/11/2008

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<sup>1</sup>The Board notes that proceedings shall resume as set forth in this order without further notice or order from the Board.

Initial Disclosures Due	9/10/2008
Expert Disclosures Due	1/8/2009
Discovery Closes	2/7/2009
Plaintiff's Pretrial Disclosures	3/24/2009
Plaintiff's 30-day Trial Period Ends	5/8/2009
Defendant's Pretrial Disclosures	5/23/2009
Defendant's 30-day Trial Period Ends	7/7/2009
Plaintiff's Rebuttal Disclosures	7/22/2009
Plaintiff's 15-day Rebuttal Period Ends	8/21/2009

**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](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>