

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

em

Mailed: April 22, 2008

Opposition No. 91182533

Foremost Corporation of  
America

v.

GMAC LLC

**Eric McWilliams, Supervisory Paralegal:**

It has come to the Board's attention that the trial schedule set forth in applicant's electronically generated April 22, 2008 motion, did not take into consideration the conferencing and disclosure deadlines. Applicant's attention is directed to the statement on the ESTTA website, which informs the parties that they should not use the consent motions forms if the proceeding was instituted on or after November 1, 2007. Instead the parties should file its motions to extend utilizing the general filings tab.

In view thereof, applicant's answer remains due on May 30, 2008, as previously granted, and the conferencing, disclosure, discovery and trial dates are reset as follows:

Time to Answer  
Deadline for Discovery Conference

5/30/08  
6/29/08

|   |          |
|---|----------|
| Discovery Opens                         | 6/29/08  |
| Initial Disclosures Due                 | 7/29/08  |
| Expert Disclosures Due                  | 11/26/08 |
| Discovery Closes                        | 12/26/08 |
| Plaintiff's Pretrial Disclosures        | 2/9/09   |
| Plaintiff's 30-day Trial Period Ends    | 3/26/09  |
| Defendant's Pretrial Disclosures        | 4/10/09  |
| Defendant's 30-day Trial Period Ends    | 5/25/09  |
| Plaintiff's Rebuttal Disclosures        | 6/9/09   |
| Plaintiff's 15-day Rebuttal Period Ends | 7/9/09   |

**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>