

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

jh

Mailed: October 1, 2008

Opposition No. 91186114

Sierra Nevada Brewing Co.

v.

Red Torpedo Limited

Jennifer Krisp, Interlocutory Attorney:

September 5, 2008, opposer filed an amended notice of opposition. Pursuant to Fed Civ. P. 15(a), a party to an inter partes proceeding before the Board may amend its pleading once as a matter of course at any time before a responsive pleading is served. An amendment filed as a matter of course need not be accompanied by a motion for leave to amend. See TBMP § 507.02 (2d ed. rev. 2004).

Inasmuch as no responsive pleading has yet been filed, opposer's amended notice of opposition is entered and is now the operative pleading in this proceeding.

Applicant is allowed THIRTY (30) DAYS from the mailing date of this order to file its answer to the amended notice of opposition.

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Accordingly, time to answer, conferencing, discovery, disclosure and trial dates are reset as follows:

Time to Answer	11/3/2008
Deadline for Discovery	
Conference	12/3/2008
Discovery Opens	12/3/2008
Initial Disclosures Due	1/2/2009
Expert Disclosures Due	5/2/2009
Discovery Closes	6/1/2009
Plaintiff's Pretrial Disclosures	7/16/2009
Plaintiff's 30-day Trial Period Ends	8/30/2009
Defendant's Pretrial Disclosures	9/14/2009
Defendant's 30-day Trial Period Ends	10/29/2009
Plaintiff's Rebuttal Disclosures	11/13/2009
Plaintiff's 15-day Rebuttal Period Ends	12/13/2009

**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

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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>