

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

nmt

Mailed: September 14, 2009

Opposition No. 91188673

CytoSport, Inc.

v.

GUNA Inc.

Nicole M. Thier, Paralegal Specialist

Applicant's consented motion (filed September 11, 2009) to further suspend proceedings to accommodate the parties' ongoing settlement negotiations is granted.¹

Proceedings herein are suspended until ninety days from the mailing date of this action, subject to the right of either party to request resumption at any time. See Trademark Rule 2.117(c).

In the event that there is no word from either party concerning the progress of their negotiations, upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board, upon the schedule set out below.

¹ However, no further extensions or suspensions will be granted in absence of a detailed progress report. Such report must include a recitation of issues that have been resolved, issues that remain to be resolved, and a firm timetable for resolution. Failing which, any future motion, even though agreed upon by the parties, may not be approved.

Applicant is allowed **THIRTY DAYS** from resumption in which to answer the **notice of opposition**. Conferencing, disclosure, discovery and trial dates are reset as follows:

Proceedings Resume	12/13/2009
Time to Answer	1/12/2010
Deadline for Discovery Conference	2/11/2010
Discovery Opens	2/11/2010
Initial Disclosures Due	3/13/2010
Expert Disclosures Due	7/11/2010
Discovery Closes	8/10/2010
Plaintiff's Pretrial Disclosures	9/24/2010
Plaintiff's 30-day Trial Period Ends	11/8/2010
Defendant's Pretrial Disclosures	11/23/2010
Defendant's 30-day Trial Period Ends	1/7/2011
Plaintiff's Rebuttal Disclosures	1/22/2011
Plaintiff's 15-day Rebuttal Period Ends	2/21/2011

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.