

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

MT

Mailed: April 21, 2011

Opposition No. 91194071

McDonough Braungart Design
Chemistry, LLC

v.

Kelly-Moore Paint Company,
Inc.

Monique Tyson, Paralegal Specialist:

Stipulated motion filed April 14, 2011 to continue suspension is granted.¹

Because the parties are negotiating for a possible settlement of this case, proceedings herein are suspended until six months 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 It is noted the answer was due April 13, 2011. In regards to the motion to suspend the answer is now due November 21, 2011.

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:

Time to Answer	11/21/11
Deadline for Discovery Conference	12/21/11
Discovery Opens	12/21/11
Initial Disclosures Due	1/20/12
Expert Disclosures Due	5/19/12
Discovery Closes	6/18/12
Plaintiff's Pretrial Disclosures	8/2/12
Plaintiff's 30-day Trial Period Ends	9/16/12
Defendant's Pretrial Disclosures	10/1/12
Defendant's 30-day Trial Period Ends	11/15/12
Plaintiff's Rebuttal Disclosures	11/30/12
Plaintiff's 15-day Rebuttal Period Ends	12/30/12

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.