

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

MBA

Mailed: December 10, 2010

Opposition No. 91196016

Carlos Ramirez

v.

Fredrick J. Staves

Michael B. Adlin, Interlocutory Attorney:

Applicant's corrected motion to compel initial disclosures, filed November 24, 2010, will be given no consideration because applicant failed to comply with Trademark Rule 2.120(e)(1).¹ Specifically, while applicant claims to have sent an e-mail requesting opposer's initial disclosures, he does not provide a copy or the date of the e-mail(s), and more importantly did not allow adequate time for opposer to respond. Indeed, opposer's initial disclosures were not due until November 19, 2010, and applicant filed his motion only five days later. This was not enough time for a genuine effort to resolve the issue without Board intervention. In fact, if opposer served his initial disclosures by mail on the day due, it is entirely possible that

¹ Opposer's response to the motion, and applicant's reply, are noted. Given opposer's decision to only serve and accept service by first-class mail going forward, opposer should re-serve its initial disclosures by first-class mail.

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applicant would not have received them before he filed his motion. Dates remain as previously set.
