

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

nmt

Mailed: January 10, 2013

Opposition No. 91207373

Eagle Creek, Inc.

v.

Eleven IP Holdings LLC

Cheryl S. Goodman, Interlocutory Attorney:

Opposer's consented motion filed December 17, 2012 to extend time for holding the discovery conference and extend all remaining trial dates is noted.

Such motion was filed after the filing of applicant's answer and prior to the deadline for the parties' discovery conference.

The Board generally does not grant motions to extend or suspend that are filed between the filing of an answer and the deadline for the discovery conference. For example, extensions of the discovery conference deadline for purposes of settlement are denied "precisely because the discovery conference itself provides an opportunity to discuss settlement." *Miscellaneous Changes to Trademark Trial and Appeal Board Rules*, 72 Fed. Reg. 42242, 42245 (Aug. 1, 2007). Applicant has not provided any reason for seeking an

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extension of the discovery conference deadline and therefore has not shown that varying from the Board's general practice is warranted in this case.

Accordingly, the motion to extend is denied. Dates remain as set in the Board's institution order. See Trademark Rule 2.120(a(2)). The parties should proceed to convene their discovery conference.