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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91207428
Party	Plaintiff Texas Children's Hospital
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Submission	Other Motions/Papers
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Date	01/16/2013
Attachments	2013-01-16 - Executed Joint Stipulation to Waive Initial Disclosures.pdf (3 pages) (29838 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 85/431,881
Published in the Official Gazette on September 11, 2012

<i>TEXAS CHILDREN'S HOSPITAL, INC.,</i>	:	
	:	
Opposer,	:	
	:	
v.	:	Opposition No. 91/207,428
	:	
<i>U.T. PHYSICIANS,</i>	:	
	:	
Applicant.	:	

JOINT STIPULATION TO WAIVE INITIAL DISCLOSURES

Initial Disclosures are currently due on 01/19/2013. The parties jointly requested that such date be extended for thirty days, or until 02/19/2013, and that all subsequent dates be reset accordingly as set forth below:

Initial Disclosures Due:	02/19/13
Expert Disclosures Due:	06/18/2013
Discovery Period to Close:	07/18/2013
Plaintiff Pretrial Disclosures:	09/03/2013
Plaintiff's 30-day Trial Period Ends:	10/16/2013
Defendant's Pretrial Disclosures:	10/31/2013
Defendant's 30-day Trial Period:	12/16/2013
Plaintiff's Rebuttal Disclosures:	12/30/2013
Plaintiff's 15-day Rebuttal Period Ends:	1/29/2014

The parties now wish to jointly waive the requirement for making the initial disclosures pursuant to 37 C.F.R. § 2.120(a)(3) but request the 30-day extension for all other dates as set forth above.

Both parties agree to forego disclosures and agree to utilize only traditional discovery devices. The parties will use the traditional discovery devices as provided in the Federal Rules of Civil Procedure and the Trademark Rules, such as depositions, interrogatories, requests for production or inspection, and request for admission.” *See Boston Red Sox Baseball Club Ltd. v. Chaveriat*, Opposition No. 91182083, 2008 TTAB LEXIS 32, *2 (TTAB June 23, 2008). No special procedures other than those provided in the Federal Rules of Civil Procedure are contemplated.

Respectfully submitted,

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Attorney for Opposer
Texas Children’s Hospital, Inc.

CERTIFICATE OF CONFERENCE

Counsel for the Opposer conferred with counsel for the Applicant on January 11, 2013 concerning waiving the requirement of the initial disclosures. Opposer and Applicant jointly agree to waive the requirement for the initial disclosure.

/William P. Ramey, III/
Counsel for Opposer
Texas Children's Hospital, Inc.

CERTIFICATE OF SERVICE

A copy of the foregoing Consent Motion was served, via first class U.S. mail, postage prepaid, this 16th day of January, 2013, on counsel of record for Applicant, Raymond Rundelli, Calfee, Halter & Griswold, LLP, 1405 East Sixth Street, The Calfee Building, Cleveland, Ohio 44114.

/William P. Ramey, III/
Counsel for Opposer
Texas Children's Hospital, Inc.