

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

Mailed: March 18, 2013

Opposition No. 91208034

Electric Visual Evolution,
LLC

v.

Electric Lady, LLC

Amy Matelski, Paralegal Specialist:

On January 11, 2013, the Board issued a notice of default against applicant for failure to file an answer to the notice of opposition, or a motion to extend time to file said answer. On January 17, 2013 applicant filed a response to the Board's show cause order. Applicant also filed, on February 7, 2013 and February 21, 2013 a consented motion to suspend proceedings pending settlement negotiations.

Inasmuch as the record does not indicate that applicant has acted in bad faith, for the purpose of delay or with a lack of diligence, and indicates that applicant seeks to set forth a meritorious defense to the allegations, the Board's January 11, 2013 default is set aside.

Because the parties are negotiating for a possible settlement of this case, applicant's motion to suspend is granted. Proceedings herein are suspended until June 18, 2013, 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 June 19, 2013 without further notice or order from the Board, upon the schedule set out below.

Applicant is allowed until July 19, 2013 which to answer the notice of opposition. Conferencing, disclosure, discovery and trial dates are reset as follows:

Time to Answer	7/19/2013
Deadline for Discovery Conference	8/18/2013
Discovery Opens	8/18/2013
Initial Disclosures Due	9/17/2013
Expert Disclosures Due	1/15/2014
Discovery Closes	2/14/2014
Plaintiff's Pretrial Disclosures	3/31/2014
Plaintiff's 30-day Trial Period Ends	5/15/2014
Defendant's Pretrial Disclosures	5/30/2014
Defendant's 30-day Trial Period Ends	7/14/2014
Plaintiff's Rebuttal Disclosures	7/29/2014
Plaintiff's 15-day Rebuttal Period Ends	8/28/2014

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.