

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

Mailed: November 29, 2012

Opposition No. 91208055

Kellogg North America Company

v.

Barilla G.E R. Fratelli -
Società Per Azioni

Amy Matelski, Paralegal Specialist:

Opposer's consented motion, filed November 27, 2012, to suspend proceedings to continue settlement discussions is noted.

Because the parties are negotiating for a possible settlement of this case, the motion is granted. Proceedings herein are suspended until March 1, 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 March 2, 2013 without further notice or order from the Board, upon the schedule set out below.

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Applicant is allowed until April 2, 2013 in which to answer the notice of opposition. Conferencing, disclosure, discovery and trial dates are reset as follows:

Time to Answer	4/2/2013
Deadline for Discovery Conference	5/2/2013
Discovery Opens	5/2/2013
Initial Disclosures Due	6/1/2013
Expert Disclosures Due	9/29/2013
Discovery Closes	10/29/2013
Plaintiff's Pretrial Disclosures	12/13/2013
Plaintiff's 30-day Trial Period Ends	1/27/2014
Defendant's Pretrial Disclosures	2/11/2014
Defendant's 30-day Trial Period Ends	3/28/2014
Plaintiff's Rebuttal Disclosures	4/12/2014
Plaintiff's 15-day Rebuttal Period Ends	5/12/2014

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.