

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

Mailed: January 29, 2013

Opposition No. 91208807

Dr Stan Vaughan

v.

TradeAuthority, L.L.C.

Cheryl S. Goodman, Interlocutory Attorney:

On January 11, 2013, opposer filed a notice of opposition via ESTTA. Subsequent to this filing, a notice of opposition was received by this Office on January 14, 2013, served on applicant on January 11, 2013. A review of this filing and the original notice of opposition establishes that they are two different documents as the January 14, 2013 filing lists 5 different paragraphs as well as exhibits. Accordingly, the Board construes the January 14, 2013 filing as an amended notice of opposition.

A party to an inter partes proceeding before the Board may amend its pleading once as a matter of course at any time before a responsive pleading is served. See Fed. R. Civ. P. 15(a); and TBMP Section 507.02.

Inasmuch as applicant had not yet filed an answer, opposer's amended notice of opposition is accepted. Fed. R. Civ. P. 15(a).

Applicant's time to answer, and all other dates are reset below. It is further noted that opposer has sought Board participation for the parties discovery conference. See Opposer's January 22, 2013 filing. Opposer is advised that such request is premature because no answer has been filed in this case and that such a request is generally made after pleadings are closed. After answer is filed, the Board will be in contact with the parties to schedule the discovery conference.

Dates are reset as follows:

Time to Answer	3/10/2013
Deadline for Discovery Conference	4/9/2013
Discovery Opens	4/9/2013
Initial Disclosures Due	5/9/2013
Expert Disclosures Due	9/6/2013
Discovery Closes	10/6/2013
Plaintiff's Pretrial Disclosures Due	11/20/2013
Plaintiff's 30-day Trial Period Ends	1/4/2014
Defendant's Pretrial Disclosures Due	1/19/2014
Defendant's 30-day Trial Period Ends	3/5/2014
Plaintiff's Rebuttal Disclosures Due	3/20/2014
Plaintiff's 15-day Rebuttal Period Ends	4/19/2014

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 Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.