

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

Mailed: May 16, 2014

Opposition No. 91209486

Razor USA LLC

v.

Tecmo Koei Games Co., Ltd.

Veronica P. White, Paralegal Specialist:

Opposer's consented motion (filed May 2, 2014) to further suspend this proceeding is granted.

Because the parties are negotiating for possible settlement of this case, proceedings are suspended through July 30, 2014, subject to the right of either party to request resumption at any time. *See* Trademark Rules 2.117(c), and 2.127(a); TBMP § 605.02.

Progress Report Required for Motions to Suspend or Extend for Settlement

The Board has granted numerous motions to suspend or extend in this proceeding to accommodate the parties' settlement efforts. Upon expiration of the suspension period granted in this order, in order to establish good cause for all future requests for suspension or extension, the parties **must** include, in any further motions to suspend or extend, a detailed report setting forth what

progress the parties have made towards settlement during the previous period of suspension.

This report must set forth, at a minimum, **1) all dates on which the parties communicated, and the method of each communication (e.g. telephone, email, in-person meeting), 2) the general nature of each communication, 3) the issues that have been resolved, 4) the issues that remain to be resolved or that remain for trial, and 5) a proposed timetable for resolution of the unresolved issues.** Appropriately designated confidential information or materials may be filed under seal and will be barred from public viewing. See Trademark Rule 2.126(c); TBMP §§ 120.02 and 502.02(c).

Due to the requirement for a progress report, the parties can no longer use the ESTTA consent motions form to file future motions to suspend or extend.

Absent a progress report as required above, a motion to suspend or extend may be denied, even if consented to by the parties. If the Board denies such a motion, dates may remain as previously set. See TBMP § 509.01(a).

If there is no word from either party concerning the progress of settlement, upon conclusion of the suspension period, proceedings shall resume July 31, 2014 without further notice or order from the Board, upon the schedule set forth in opposer's motion. For the convenience of the parties the schedule is copied below:

Time to Answer	8/30/2014
Deadline for Discovery Conference	9/29/2014
Discovery Opens	9/29/2014
Initial Disclosures Due	10/29/2014
Expert Disclosures Due	2/26/2015

Discovery Closes	3/28/2015
Plaintiff's Pretrial Disclosures	5/12/2015
Plaintiff's 30-day Trial Period Ends	6/26/2015
Defendant's Pretrial Disclosures	7/11/2015
Defendant's 30-day Trial Period Ends	8/25/2015
Plaintiff's Rebuttal Disclosures	9/9/2015
Plaintiff's 15-day Rebuttal Period Ends	10/9/2015

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.

If, during the suspension period, either of the parties or their attorneys have a change of address, the Board must be so informed.