

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

MT

Mailed: March 10, 2014

Opposition No. 91212957

Potbelly Sandwich Works LLC

v.

Jonathan S Swire

Monique Tyson, Paralegal Specialist:

On February 10, 2014, the Board issued an order to show cause for applicant's failure to file an answer or a motion to extend time to file an answer. In response, on February 24, 2014 applicant filed a consented motion to extend time to file its answer to the notice of opposition.¹

In view thereof, the order to show cause why default should not be entered is hereby discharged and the notice of default is set aside. The Answer is hereby due on or before April 18, 2014. Trial dates are reset as indicated below.

¹ Applicant's motion filed February 10, 2014 fails to indicate proof of service on opposer, as required by Trademark Rule 2.119. In order to expedite this matter, a copy of the February 10, 2014 paper is forwarded herewith to opposer's counsel. Notwithstanding, strict compliance with Trademark Rule 2.119 is required by applicant in all future papers filed with the Board.

Time to Answer	4/18/2014
Deadline for Discovery Conference	5/18/2014
Discovery Opens	5/18/2014
Initial Disclosures Due	6/17/2014
Expert Disclosures Due	10/15/2014
Discovery Closes	11/14/2014
Plaintiff's Pretrial Disclosures	12/29/2014
Plaintiff's 30-day Trial Period Ends	2/12/2015
Defendant's Pretrial Disclosures	2/27/2015
Defendant's 30-day Trial Period Ends	4/13/2015
Plaintiff's Rebuttal Disclosures	4/28/2015
Plaintiff's 15-day Rebuttal Period Ends	5/28/2015

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