

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: October 26, 2015

Opposition No. 91213790

General Nutrition Investment Company

v.

*Advance By Design (ABD) LLC
dba Live Well Feel Well*

Veronica P. White, Paralegal Specialist:

Opposer's consented motion (filed June 30, 2015) to suspend this proceeding for 90 days is granted as conceded. Trademark Rule 2.127(a).¹

Because the parties are negotiating for a possible settlement of this case, proceedings are suspended up to, and including November 3, 2015, subject to the right of either party to request resumption at any time. *See* Trademark Rule 2.117(c), and 2.127(a); and TBMP § 605.02).

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 November 4, 2015 without further notice or order from the Board, upon the schedule set forth below.

¹ The Board regrets the delay in action on the motion and gives the parties additional time reflected in the trial schedule.

Expert Disclosures Due	12/3/2015
Discovery Closes	1/2/2016
Plaintiff's Pretrial Disclosures	2/16/2016
Plaintiff's 30-day Trial Period Ends	4/1/2016
Defendant's Pretrial Disclosures	4/16/2016
Defendant's 30-day Trial Period Ends	5/31/2016
Plaintiff's Rebuttal Disclosures	6/15/2016
Plaintiff's 15-day Rebuttal Period Ends	7/15/2016

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 should have a change of address, the Board should be so informed.²

² If the parties are (or during the pendency of this proceeding become) parties to another proceeding involving the subject application, the parties must notify the Board so the Board can consider whether consolidation or suspension of proceedings is appropriate.