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Filing date: **07/30/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91216129
Party	Plaintiff Peer Bearing Company
Correspondence Address	THOMAS C MCDONOUGH NEAL GERBER & EISENBERG LLP TWO NORTH LASALLE STREET , SUITE 1700 CHICAGO, IL 60602 UNITED STATES tmcdonough@ngelaw.com, twilliams@ngelaw.com, afraker@ngelaw.com, mbenson@ngelaw.com, DocketMail@ngelaw.com
Submission	Stipulated/Consent Motion to Reopen
Filer's Name	Thomas C. McDonough
Filer's e-mail	tmcdonough@ngelaw.com, twilliams@ngelaw.com, mbenson@ngelaw.com, DocketMail@ngelaw.com, engel@mkgip.com
Signature	/Thomas C. McDonough/
Date	07/30/2014
Attachments	Consented_Motion_for_Corrected_Scheduling_Order.pdf(14643 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of
Application No.: 78/664,347 for the mark: 1630
Published in the *Official Gazette* on February 11, 2014

Peer Bearing Company)	
)	
Opposer,)	
)	
v.)	Opposition No. 91216129
)	
Roller Bearing Co. of America, Inc.)	
)	
Applicant.)	

CONSENTED MOTION FOR CORRECTED SCHEDULING ORDER

Pursuant to Rule 510(c) of the Trademark Trial and Appeal Board Manual of Practice, on July 28, 2014, counsel for Opposer Peer Bearing Company consented to a 30-day suspension of these proceedings for settlement negotiations and simultaneously agreed to a 30-day extension of all dates in the case. Counsel for Applicant Roller Bearing Co. of America, Inc. agreed that he would prepare and file the consent motion. This motion was filed on July 28, 2014.

Counsel for Opposer noted that the e-mail notification of Applicant’s Motion for Suspension for Settlement With Consent reads:

Deadline for Discovery Conference: CLOSED

Discovery Opens: CLOSED

Initial Disclosures Due: CLOSED

These dates were inadvertently closed because the Motion for Suspension for Settlement With Consent was filed through the ESTTA “Consented Motions” electronic portal. Pursuant to the Guideline at paragraph II of the U.S. Patent and Trademark Office FAQ at http://www.uspto.gov/web/offices/dcom/ttab/ttab_notification.pdf, the ESTTA “Consented Motions” option should not be used in this instance, and the ESTTA “General Filings” option

should have been used with a proposed schedule (in the same format as the Board's institution order).

Opposer's counsel has discussed this issue with Applicants' counsel on July 30, 2014 and Applicant's counsel consented to the filing of this motion to correct the dates.

WHEREFORE, Opposer respectfully requests that the Board enter an order resetting the discovery dates that were inadvertently closed, and extending all currently open dates for 30 days, as set forth below:

Deadline for Discovery Conference:	09/06/2014
Discovery Opens:	09/06/2014
Initial Disclosures Due:	10/06/2014
Expert Disclosure Due:	02/03/2015
Discovery Closes	03/05/2015
Plaintiff's Pretrial Disclosure	04/19/2015
Plaintiff's 30-day Trial Period Ends	06/03/2015
Defendant's Pretrial Disclosures	06/18/2015
Defendant's 30-day Trial Period Ends	08/02/2015
Plaintiff's Rebuttal Disclosures	08/17/2015
Plaintiff's 15-day Rebuttal Period Ends	09/16/2015

Respectfully submitted,

Date: July 30, 2014

By: /Thomas C. McDonough/
One of the Attorneys for Opposer,
Peer Bearing Company

Thomas C. McDonough
Thomas E. Williams
Neal, Gerber & Eisenberg LLP
Two North LaSalle Street, Suite 1700
Chicago, IL 60602
Telephone: (312) 269-8000
Facsimile: (312) 269-1747

CERTIFICATE OF TRANSMISSION

I hereby certify that the enclosed **CONSENTED MOTION FOR CORRECTED SCHEDULING ORDER** is being electronically transmitted via the Electronic System for Trademark Trials and Appeals (“ESTTA”) at <http://estta.uspto.gov/> on the date noted below:

Date: July 30, 2014

By: /Thomas C. McDonough/
One of the Attorneys for Opposer,
Peer Bearing Company

Thomas C. McDonough
Thomas E. Williams
Neal, Gerber & Eisenberg LLP
Two North LaSalle Street, Suite 1700
Chicago, IL 60602
Telephone: (312) 269-8000
Facsimile: (312) 269-1747

CERTIFICATE OF SERVICE

I, Thomas C. McDonough, an attorney, state that I served a copy of the enclosed **CONSENTED MOTION FOR CORRECTED SCHEDULING ORDER** upon:

Michael K. Kinney
Michaud-Kinney Group LLP
306 Industrial Park Rd 206
Middletown Connecticut 06457-1532

by depositing said copy in a properly addressed envelope, first class postage prepaid, and depositing same in the United States mail at Two North LaSalle Street, Chicago, Illinois, on the date noted below:

Date: July 30, 2014

/Thomas C. McDonough/

NGEDOCS: 2189948.1