

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: January 7, 2015

Opposition No. 91217652

Alex Vandermark dba The Juicery, LLC

v.

CP Strategy, Inc.

Amy Matelski, Paralegal Specialist:

Answer was due in this case on October 9, 2014. Applicant did not file an answer by such date nor did it file a timely motion to further extend its time to answer. In view thereof, the Board issued a notice of default to applicant on November 18, 2014 requiring applicant to show cause why judgment should not be entered against it. On December 17, 2014, applicant filed a response to the Board's notice of default indicating the parties are in settlement discussions and a motion to reopen its time to answer and suspend proceedings, with opposer's consent.

In view thereof, the Board's notice of default dated November 18, 2014 is hereby set aside, and applicant's motion to reopen its time to answer and suspend proceedings is granted.

Because the parties are negotiating for a possible settlement of this case, proceedings are suspended up to, and including January 30, 2015,

subject to the right of either party to request resumption at any time. *See* Trademark Rules 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 on January 31, 2015 without further notice or order from the Board, upon the schedule set forth below.

Applicant is allowed until March 2, 2015 in which to answer the notice of opposition. Conferencing, disclosure, discovery and trial dates are reset as follows:

Time to Answer	3/2/2015
Deadline for Discovery Conference	4/1/2015
Discovery Opens	4/1/2015
Initial Disclosures Due	5/1/2015
Expert Disclosures Due	8/29/2015
Discovery Closes	9/28/2015
Plaintiff's Pretrial Disclosures	11/12/2015
Plaintiff's 30-day Trial Period Ends	12/27/2015
Defendant's Pretrial Disclosures	1/11/2016
Defendant's 30-day Trial Period Ends	2/25/2016
Plaintiff's Rebuttal Disclosures	3/11/2016
Plaintiff's 15-day Rebuttal Period Ends	4/10/2016

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.¹

¹ If the parties are (or during the pendency of this proceeding become) parties to another proceeding involving the subject application/registration, the parties must notify the Board so the Board can consider whether consolidation or suspension of proceedings is appropriate.