

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

EJW

Mailed: April 15, 2016

Opposition No. 91219403 (parent)
Opposition No. 91221395

Margaritaville Enterprises, LLC

v.

Rachel A Bevis DBA Rachel A Bevis

ELIZABETH J. WINTER, INTERLOCUTORY ATTORNEY:

On April 15, 2016, the parties, represented by Joel Feldman (of Greenberg Traurig LLP) for Opposer and Rachel Bevis, *pro se*, Applicant, and Elizabeth Winter, the assigned Interlocutory Attorney, held a teleconference to discuss Opposer's request that the expert disclosures due date set in the Board's April 2, 2016 order be extended. *See* Trademark Rule 2.120(i)(1); and TBMP § 502.06(a) (2015).

The Board summarized Opposer's motion by which it seeks to extend the expert disclosure due date for additional time so that Opposer will have sufficient time to complete the report and timely serve Applicant. Opposer clarified that a one-week extension, or until April 22, 2016, would be sufficient. Although Ms. Bevis expressed concern regarding the delay to the proceedings, she agreed to the brief extension of time. In view thereof, Opposer's motion was **granted**. *See* Trademark Rule 2.127(a).

In view of the foregoing, a limited discovery period is reopened until **July 15, 2016**, for the reasons discussed below. Opposer is allowed until **April 22, 2016**, to serve on Applicant its expert disclosures. Applicant is allowed until **May 31, 2016**, to depose or to conduct other discovery regarding the noticed expert witness, should Applicant wish to do so; Applicant is then allowed until **June 15, 2016**, to disclose to Opposer whether she will use a rebuttal expert and to serve on Opposer her expert disclosures, if any; and Opposer is allowed until **July 15, 2016**, to conduct discovery of any rebuttal witness disclosed by Applicant. Disclosure and trial dates, including the expert disclosure due dates, are reset as shown in the schedule set forth below.

Opposer's Expert Disclosures Due	4/22/2016
Applicant's Limited Discovery Period Closes	5/31/2016
Applicant's Rebuttal Expert Disclosures Due	6/15/2016
Opposer's Limited Discovery Closes	7/15/2016
Plaintiff's Pretrial Disclosures Due	8/29/2016
Plaintiff's 30-day Trial Period Ends	10/13/2016
Defendant's Pretrial Disclosures Due	10/28/2016
Defendant's 30-day Trial Period Ends	12/12/2016
Plaintiff's Rebuttal Disclosures Due	12/27/2016
Plaintiff's 15-day Rebuttal Period Ends	1/26/2017

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. *See* Trademark Rule 2.125, 37 C.F.R. § 2.125.

Opposition Nos. 91219403 and 91221395

Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b), 37 C.F.R. §§ 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129, 37 C.F.R. § 2.129.

