

ESTTA Tracking number: **ESTTA937999**

Filing date: **11/29/2018**

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

Proceeding	91224000
Party	Defendant Tour Management Services, Inc.
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Date	11/29/2018
Attachments	FL LI TOU001-2 1059 Reply in support of Motion to Strike ES-TTA935945.pdf(18140 bytes )

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

SPIRITLINE CRUISES, LLC,

Opposer,

v.

TOUR MANAGEMENT  
SERVICES, INC.,

Applicant.

Opposition No. 91224000

Mark: CHARLESTON HARBOR TOURS

Serial No.: 86334681

Published in the Official Gazette

05/26/2015

**APPLICANT'S REPLY TO OPPOSER'S RESPONSE IN OPPOSITION TO**  
**APPLICANT'S MOTION STRIKE**  
**NOTICE OF RELIANCE (ESTTA935945) AS UNTIMELY**

In response to Opposer's sharply worded Response to the above-referenced Motion to Strike as Untimely (ESTTA937442), Applicant notes that TBMP Rule 112 states that "If, *as set by the Board*, the close of a testimony period falls on a Saturday, Sunday, or federal holiday within the District of Columbia, testimony depositions may be taken, testimony declarations and affidavits may be filed, and other evidence may be offered, on the next business day" (emphasis added). In the present case, the date for the close of the testimony period was set by the parties by stipulation (see ESTTA922768), and subsequently approved by the Board by reference to the parties' stipulation. Due to this procedural twist, it is unclear to Applicant whether this weekend extension portion of TBMP Rule 112 applies to the present situation. The Board's clarification is requested.

Respectfully submitted,

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November 29, 2018  
Charleston, South Carolina

ATTORNEY FOR APPLICANT  
TOUR MANAGEMENT SERVICES, INC.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing *Applicant's Reply to Opposer's Response in Opposition to Applicant's Motion to Strike Notice of Reliance (ESTTA935945) as Untimely* was served on counsel for Opposer, this 29th day of November, 2018 by sending the same by first class mail, postage prepaid, and by electronic mail to:

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/Edward T. Fenno/

November 29, 2018