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 22, 2018

Opposition No. 91226647

Dude IP, LLC

v.

Food Dudes Delivery, LLC

Amy Matelski, Paralegal Specialist:

Opposer's consented motion, filed January 17, 2018, to extend discovery and trial dates is granted as modified.[1] Trademark Rule 2.127(a).

Trial dates are reset as follows:

Discovery Closes	3/15/2018
Pretrial Disclosures Due for Party in Position of Plaintiff in Original Claim	4/29/2018
30-day Trial Period Ends for Party in Position of Plaintiff in Original Claim	6/13/2018
Pretrial Disclosures Due for Party in Position of Defendant in Original Claim and in Position of Plaintiff in Counterclaim	6/28/2018
30-day Trial Period Ends for Party in Position of Defendant in Original Claim, and in Position of Plaintiff in Counterclaim	8/12/2018

[1] Opposer's change of correspondence address, filed January 11, 2018 is noted and made of record.

When parties stipulate to the rescheduling of a deadline for pretrial disclosures and subsequent testimony periods or to the rescheduling of the closing date for discovery and the rescheduling of subsequent deadlines for pretrial disclosures and testimony periods, a stipulation presented in the form used in a trial order, signed by the parties, or a motion in said form signed by one party and including a statement that every other party has agreed thereto, shall be submitted to the Board through ESTTA, with the relevant dates set forth and an express statement that all parties agree to the new dates. Trademark Rule 2.121(d).

Pretrial Disclosures Due for Rebuttal of Party in Position of Plaintiff in Original Claim and in Position of Defendant in Counterclaim	8/27/2018
30-day Trial Period Ends for Rebuttal of Party in Position of Plaintiff in Original Claim, and in Position of Defendant in Counterclaim	10/11/2018
Pretrial Disclosures Due for Rebuttal of Party in Position of Plaintiff in Counterclaim	10/26/2018
15-day Trial Period Ends for Rebuttal of Party in Position of Plaintiff in Counterclaim	11/25/2018
Opening Brief for Party in Position of Plaintiff in Original Claim Due	1/24/2019
Combined Brief for Party in Position of Defendant in Original Claim and Opening Brief as Plaintiff in Counterclaim Due	2/23/2019
Combined Rebuttal Brief for Party in Position of Plaintiff in Original Claim and Brief as Defendant in Counterclaim Due	3/25/2019
Rebuttal Brief for Party in Position of Plaintiff in Counterclaim Due	4/9/2019
Request for Oral Hearing (optional) Due	4/19/2019

If the parties agree to another extension or suspension, they will be expected to report to the Board on the progress of discovery, or of any ongoing settlement negotiations. Such report must include: a recitation of discovery taken to date, a statement of issues that have been resolved and issues that remain to be resolved, and a firm timetable for resolution. Absent such a report, any future motion to extend or suspend may not be approved, even though agreed to by the parties.

Generally, the Federal Rules of Evidence apply to Board trials. Trial testimony is taken and introduced out of the presence of the Board during the assigned testimony periods. The parties may stipulate to a wide variety of matters, and many requirements relevant to the trial phase of Board proceedings are set forth in Trademark Rules 2.121 through 2.125. These include pretrial disclosures, matters in evidence, the manner and timing of taking testimony, and the procedures for submitting and serving testimony and other evidence, including affidavits, declarations, deposition transcripts and stipulated evidence. Trial briefs shall be submitted in accordance

with Trademark Rules 2.128(a) and (b). Oral argument at final hearing will be scheduled only upon the timely submission of a separate notice as allowed by Trademark Rule 2.129(a).