

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: May 9, 2017

Opposition No. 91226718¹

Renaissance 1849 SA

v.

Alcora Corporation

Karl Kochersperger, Paralegal Specialist:

Opposer's consented motion, filed May 1, 2017, to suspend this proceeding for 30 days is granted to allow Opposer to file a withdrawal of the opposition.

Because the parties are negotiating for a possible settlement of this case, proceedings are suspended up to, and including May 31, 2017, subject to the right of either party to request resumption at any time.² See Trademark Rules 2.117(c), and 2.127(a); and TBMP § 605.02.

¹ Notice of opposition filed against Class 3 only.

² The parties should note that if proceedings are suspended for a lengthy period of time pursuant to the filing of several motions to suspend for settlement, the Board retains discretion to condition the approval of any future consented or stipulated motion to suspend on a party or the parties providing necessary information about the status of settlement talks, discovery activities, or trial activities, as may be appropriate, as in the case here. See Trademark Rule 2.117(c).

If, during the suspension period, either of the parties or their attorneys have a change of address or email address, the Board should be so informed.³ *See* Trademark Rule 2.18(b)(1).

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 without further notice or order from the Board, upon the schedule set forth below.

Applicant is allowed until June 28, 2017, in which to answer the notice of opposition. Conferencing, disclosure, discovery, and trial dates are reset as follows:

Proceedings Resume:	6/1/2017
Time to Answer	6/28/2017
Deadline for Discovery Conference	7/28/2017
Discovery Opens	7/28/2017
Initial Disclosures Due	8/27/2017
Expert Disclosures Due	12/25/2017
Discovery Closes	1/24/2018
Plaintiff's Pretrial Disclosures Due	3/10/2018
Plaintiff's 30-day Trial Period Ends	4/24/2018
Defendant's Pretrial Disclosures Due	5/9/2018
Defendant's 30-day Trial Period Ends	6/23/2018
Plaintiff's Rebuttal Disclosures Due	7/8/2018
Plaintiff's 15-day Rebuttal Period Ends	8/7/2018
Plaintiff's Opening Brief Due	10/6/2018
Defendant's Brief Due	11/5/2018
Plaintiff's Reply Brief Due	11/20/2018

³ 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.

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, the manner and timing of taking testimony, matters in evidence, 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).

The Board notes that there have been numerous extensions granted in this proceeding. The parties are advised that to continue to seek further extensions after this period expires, the parties will be expected to make a showing of good cause for any further extensions. This is true even when both parties stipulate to the request. Should either party submit another motion for an extension of time or suspension, said motion must be accompanied by a showing of good cause, which must comprise a detailed status report regarding the progress of the parties' settlement negotiations, including when the last settlement proposal was sent, by whom, and when a response is expected, a recitation of the issues that have been resolved since the commencement of the proceeding, a list of issues that remain to be resolved, and a timetable for resolution. Confidential information may be so designated and will be barred from

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public viewing. Absent such a report, any further motion to extend time or to suspend this proceeding may not be approved, even though agreed to by the parties.