

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: December 15, 2016

Opposition No. 91231123

Applebee's Restaurants LLC

v.

Cold Brewtus Coffee Roasters, Inc.

Karl Kochersperger, Paralegal Specialist:

On December 9, 2016, Applicant filed an answer to the opposition and a counterclaim to cancel Opposer's pleaded registration(s). Applicant submitted the required fee.

Opposer and counterclaim defendant, Applebee's Restaurants LLC, is allowed until thirty days from the mailing date of this order to file an answer to the counterclaim. *See* Trademark Rule 2.106(b)(2)(iii).

In accordance with the Trademark Rules of Practice, conferencing, disclosure, discovery and testimony periods are reset as indicated below. *See* Trademark Rule 2.121(b)(2). 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.

Answer to Counterclaim Due	1/14/2017
Deadline for Discovery Conference	2/13/2017
Discovery Opens	2/13/2017
Initial Disclosures Due	3/15/2017
Expert Disclosures Due	7/13/2017
Discovery Closes	8/12/2017
Plaintiff's Pretrial Disclosures	9/26/2017
30-day testimony period for plaintiff's testimony to close	11/10/2017
Defendant/Counterclaim Plaintiff's Pretrial Disclosures	11/25/2017
30-day testimony period for defendant and plaintiff in the counterclaim to close	1/9/2018
Counterclaim Defendant's and Plaintiff's Rebuttal Disclosures Due	1/24/2018
30-day testimony period for defendant in the counterclaim and rebuttal testimony for plaintiff to close	3/10/2018
Counterclaim Plaintiff's Rebuttal Disclosures Due	3/25/2018
15-day rebuttal period for plaintiff in the counterclaim to close	4/24/2018
Brief for plaintiff due	6/23/2018
Brief for defendant and plaintiff in the counterclaim due	7/23/2018
Brief for defendant in the counterclaim and reply brief, if any, for plaintiff due	8/22/2018
Reply brief, if any, for plaintiff in the counterclaim due	9/6/2018

If the parties file a motion to suspend or extend these dates, the motion should set forth the proposed dates in the format shown in this order. *See* Trademark Rule 2.121(d).

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.