

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  
General Email: [TTABInfo@uspto.gov](mailto:TTABInfo@uspto.gov)

September 19, 2019

Opposition No. 91231302

*Ma Laboratories, Inc.*

*v.*

*EWIZ Express Corporation*

**Amy Matelski, Paralegal Specialist:**

Opposer's consented motion for an extension of time, filed September 13, 2019, is granted.<sup>1</sup> Trademark Rule 2.127(a). The parties are reminded that any future motion to extend or suspend must be accompanied by a status report on the parties' ongoing litigation.

Trial dates are reset in accordance with Opposer's motion, as follows:

Time to Answer	11/13/2019
Deadline for Discovery Conference	12/13/2019
Discovery Opens	12/13/2019
Initial Disclosures Due	1/12/2020
Expert Disclosures Due	5/11/2020
Discovery Closes	6/10/2020

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<sup>1</sup> 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).

Plaintiff's Pretrial Disclosures Due	7/25/2020
Plaintiff's 30-day Trial Period Ends	9/8/2020
Defendant's Pretrial Disclosures Due	9/23/2020
Defendant's 30-day Trial Period Ends	11/7/2020
Plaintiff's Rebuttal Disclosures Due	11/22/2020
Plaintiff's 15-day Rebuttal Period Ends	12/22/2020
Plaintiff's Opening Brief Due	2/20/2021
Defendant's Brief Due	3/22/2021
Plaintiff's Reply Brief Due	4/6/2021
Request for Oral Hearing (optional) Due	4/16/2021

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).