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

RSC

June 7, 2019

Opposition No. 91231595

Chicago Blackhawk Hockey Team, Inc.

v.

Hawktown Teas, Inc

Rebecca Stempien Coyle, Interlocutory Attorney:

This case is nearly two and a half years old, and the discovery period has yet to close. On February 5, 2019, the Board denied the parties' last consented motion to extend initial disclosures due to a failure to provide the required status report. 22 TTABVUE. On May 24, 2019, Opposer[1] filed another consented motion to extend discovery and trial dates as it had recently retained new counsel, settlement negotiations have broken down between the parties, and the parties needed time to complete discovery. The Board notes that, even if the parties continued settlement discussions, the proceedings have been resumed for more than four months and the parties were expected to follow the trial schedule as ordered.

[1] Opposer's notice of counsel, filed May 23, 2019, is noted and made of record.

Therefore, while Opposer's consented motion is **granted**, Trademark Rule 2.127(a), **no further extension, suspension or reopening of time of the discovery period will be granted, absent extraordinary circumstances**.

Discovery and trial dates are reset as follows:

Discovery Closes	9/10/2019
Plaintiff's Pretrial Disclosures Due	10/25/2019
Plaintiff's 30-day Trial Period Ends	12/9/2019
Defendant's Pretrial Disclosures Due	12/24/2019
Defendant's 30-day Trial Period Ends	2/7/2020
Plaintiff's Rebuttal Disclosures Due	2/22/2020
Plaintiff's 15-day Rebuttal Period Ends	3/23/2020
Plaintiff's Opening Brief Due	5/22/2020
Defendant's Brief Due	6/21/2020
Plaintiff's Reply Brief Due	7/6/2020
Request for Oral Hearing (optional) Due	7/16/2020

The Federal Rules of Evidence generally 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).