

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: October 18, 2017

Opposition No. 91233458

*Homage, LLC*

*v.*

*Slam Jam S.r.l.*

**Denise M. DelGizzi,  
Chief Clerk of the Board:**

The Board's prior order, also dated October 18, 2017, was issued in error and is hereby vacated.

Upon request of the Examining Attorney, on October 18, 2017, the Board restored jurisdiction to her for further examination. However, it has come to the Board's attention that restoration of jurisdiction was not proper in this case because application Serial No. 79183887 was filed under Trademark Act § 66(a), 15 U.S.C. § 1141f(a).

This opposition commenced on February 20, 2017. Once an opposition has commenced, the examining attorney may not request remand of an application filed under Trademark Act § 66(a) due to the time constraints established by treaty regarding notification of the International Bureau of the World Intellectual Property Organization of any refusal. *See* TBMP § 213.

In view of the foregoing, proceedings herein are resumed. Applicant's answer is due on November 17, 2017, and conference, discovery, and trial dates are reset as follows:

|   |            |
|---|------------|
| Time to Answer                          | 11/17/2017 |
| Deadline for Discovery Conference       | 12/17/2017 |
| Discovery Opens                         | 12/17/2017 |
| Initial Disclosures Due                 | 1/16/2018  |
| Expert Disclosures Due                  | 5/16/2018  |
| Discovery Closes                        | 6/15/2018  |
| Plaintiff's Pretrial Disclosures Due    | 7/30/2018  |
| Plaintiff's 30-day Trial Period Ends    | 9/13/2018  |
| Defendant's Pretrial Disclosures Due    | 9/28/2018  |
| Defendant's 30-day Trial Period Ends    | 11/12/2018 |
| Plaintiff's Rebuttal Disclosures Due    | 11/27/2018 |
| Plaintiff's 15-day Rebuttal Period Ends | 12/27/2018 |
| Plaintiff's Opening Brief Due           | 2/25/2019  |
| Defendant's Brief Due                   | 3/27/2019  |
| Plaintiff's Reply Brief Due             | 4/11/2019  |
| Request for Oral Hearing (optional) Due | 4/21/2019  |

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 ac-

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cordance 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).