

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: July 31, 2017

Opposition No. 91234701

TVI, Inc.

v.

Cassidy M. Ellis

Ann Linnehan, Interlocutory Attorney

Pursuant to Fed. R. Civ. P. 26 and Trademark Rules 2.120, the parties to this proceeding conducted a discovery conference on July 31, 2017. Applicant requested the Board's participation in such conference. Participating in the conference were Opposer's attorney, Mark Leen, Applicant's attorney, Joshua Schoonover, and the assigned Board Interlocutory Attorney.

The parties stated that they were not interested in suspending proceedings at this point in the proceeding to engage in settlement discussions.

The Board reviewed the pleadings and noted that there are two.

The Board encourages the parties to consider resolving this proceeding using the Board's accelerated case resolution procedure ("ACR"). ACR is an alternative to typical Board *inter partes* proceedings with full discovery, trial and briefing, in which the parties can obtain a determination of the claims and defenses in their case in a shorter time period than contemplated in the typical Board proceeding. In

order to take advantage of ACR, the parties must stipulate that, in lieu of trial, the Board can resolve any material issues of fact. After the briefs are filed, the Board will endeavor to issue a decision within fifty days. The parties should review TBMP §§ 528.05(a)(2), 702.04, and 705 (2017) for more information and telephone the assigned interlocutory attorney if they are interested in pursuing this alternative.

Strict compliance with the Trademark Rules of Practice and where applicable, the Federal Rules of Civil Procedure, is expected of all parties before the Board.

Dates remain as previously set.