**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

January 6, 2020

Opposition No. 91237451
Opposition No. 91247153

*BlackBerry Limited*

*v.*

*Nexteer Automotive Corporation*

**Amy Matelski, Paralegal Specialist:**

Opposer's consented motion, filed January 2, 2020, to extend disclosure, discovery, and trial dates is granted.[1] Trademark Rule 2.127(a).

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

| | |
|---|---|
| Expert Disclosures Due | 2/1/2020 |
| Discovery Closes | 3/2/2020 |
| Plaintiff's Pretrial Disclosures Due | 4/16/2020 |
| Plaintiff's 30-day Trial Period Ends | 5/31/2020 |
| Defendant's Pretrial Disclosures Due | 6/15/2020 |
| Defendant's 30-day Trial Period Ends | 7/30/2020 |
| Plaintiff's Rebuttal Disclosures Due | 8/14/2020 |
| Plaintiff's 15-day Rebuttal Period Ends | 9/13/2020 |
| Plaintiff's Opening Brief Due | 11/12/2020 |

[1] 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).

| | |
|---|---|
| Defendant's Brief Due | 12/12/2020 |
| Plaintiff's Reply Brief Due | 12/27/2020 |
| Request for Oral Hearing (optional) Due | 1/6/2021 |

Inasmuch as the parties have provided the Board with an updated report of the parties settlement discussions as previously required, **the parties are reminded that there is a continuing obligation to provide good cause in the form of detailed progress reports for any further extension or suspension requests.**

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).

**TIPS FOR FILING EVIDENCE, TESTIMONY, OR LARGE DOCUMENTS**

The Board requires each submission to meet the following criteria before it will be considered: 1) pages must be legible and easily read on a computer screen; 2) page orientation should be determined by its ease of viewing relevant text or evidence, for example, there should be no sideways or upside-down pages; 3) pages must appear in

their proper order; 4) depositions and exhibits must be clearly labeled and numbered – use separator pages between exhibits and clearly label each exhibit using sequential letters or numbers; and 5) the entire submission should be text-searchable. Additionally, submissions must be compliant with Trademark Rules 2.119 and 2.126. Submissions failing to meet all of the criteria above may require re-filing. **Note:** Parties are strongly encouraged to check the entire document before filing.[2] The Board will not extend or reset proceeding schedule dates or other deadlines to allow time to re-file documents. For more tips and helpful filing information, please visit the ESTTA help webpage.

[2] To facilitate accuracy, ESTTA provides thumbnails to view each page before submitting.