

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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September 21, 2018

Opposition No. 91238212

*Kabushiki Kaisha Hitachi Seisakusho, DBA  
Hitachi, Ltd.*

*v.*

*Absolute Machine Tools, Inc.*

**Lalita Webb, Paralegal Specialist:**

Applicant's consented motion filed September 4, 2018, to suspend proceedings is noted.

Inasmuch as Initial Disclosures closed on March 16, 2018, and Applicant's motion to extend was dated September 4, 2018, Applicant's motion will be construed as a motion to reopen Initial Disclosures and reset trial dates. The motion is with Opposer's consent and is therefore granted.

In view thereof, dates are reset as indicated below:

|                                      |           |
|--------------------------------------|-----------|
| Initial Disclosures Due              | 9/28/2018 |
| Expert Disclosures Due               | 1/26/2019 |
| Discovery Closes                     | 2/25/2019 |
| Plaintiff's Pretrial Disclosures Due | 4/11/2019 |
| Plaintiff's 30-day Trial Period Ends | 5/26/2019 |
| Defendant's Pretrial Disclosures Due | 6/10/2019 |
| Defendant's 30-day Trial Period Ends | 7/25/2019 |

|                                         |            |
|-----------------------------------------|------------|
| Plaintiff's Rebuttal Disclosures Due    | 8/9/2019   |
| Plaintiff's 15-day Rebuttal Period Ends | 9/8/2019   |
| Plaintiff's Opening Brief Due           | 11/7/2019  |
| Defendant's Brief Due                   | 12/7/2019  |
| Plaintiff's Reply Brief Due             | 12/22/2019 |
| Request for Oral Hearing (optional) Due | 1/1/2020   |

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 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).