

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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Baxley

September 10, 2018

Opposition No. 91238706

*Xiang Yin He Chang Tuan Inc.*

*v.*

*Edison Chinese Chorus Inc. AKA Xiang Yin  
Chorus or Xiang Yin He Chang Tuan*

**Andrew P. Baxley, Interlocutory Attorney:**

Pursuant to the Board's August 7, 2018 order, Opposer, on September 5, 2018, filed a third amended notice of opposition. The Board accepts the third amended notice of opposition as the operative complaint herein.<sup>1</sup>

Proceedings herein are resumed. Dates are reset as follows.

Time to Answer	10/12/2018
Deadline for Discovery Conference	11/11/2018
Discovery Opens	11/11/2018
Initial Disclosures Due	12/11/2018
Expert Disclosures Due	4/10/2019
Discovery Closes	5/10/2019
Plaintiff's Pretrial Disclosures Due	6/24/2019
Plaintiff's 30-day Trial Period Ends	8/8/2019
Defendant's Pretrial Disclosures Due	8/23/2019
Defendant's 30-day Trial Period Ends	10/7/2019

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<sup>1</sup> In so accepting, the Board makes no determination as to the sufficiency of the complaint.

Plaintiff's Rebuttal Disclosures Due	10/22/2019
Plaintiff's 15-day Rebuttal Period Ends	11/21/2019
Plaintiff's Opening Brief Due	1/20/2020
Defendant's Brief Due	2/19/2020
Plaintiff's Reply Brief Due	3/5/2020
Request for Oral Hearing (optional) Due	3/15/2020

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).