

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

August 19, 2019

Opposition No. 91239143

W-D Apparel Company, LLC

v.

L2 Apparel Group LLC

**M. Catherine Faint,
Interlocutory Attorney:**

Proceedings are suspended pending disposition of Applicant's motion, filed August 5, 2019, to compel initial disclosures/discovery, except as discussed below. The parties should not file any paper that is not germane to the motion to compel. *See* Trademark Rule 2.120(f)(2).

The Board notes that Applicant filed on the same date its "confidential defendant's supporting evidence/exhibits," of which each page is marked "Confidential/For Attorney's Eyes Only." It is the usual practice for a party to file a redacted version of a confidential filing for the public record. Trademark Rule 2.126(c), 37 C.F.R. § 2.126(c). **See also** TBMP § 412.04 (2019). Applicant is allowed until **20 days** from the date of this order to file its redacted version.

The parties may not serve any additional discovery until the period of suspension is lifted or expires by or under order of the Board. The filing of the motion to compel

disclosure or discovery shall not toll the time for a party to comply with any initial disclosure requirement, or to respond to any outstanding discovery requests or to appear for any noticed discovery deposition. If the motion to compel was filed after the close of discovery, the parties need not make pretrial disclosures until directed to do so by the Board. *See* Trademark Rule 2.120(f)(2); TBMP § 523.01.

The motion to compel will be decided in due course.