

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

RA/MCF

Mailed: June 29, 2018

Opposition No. 91239541

*TBL Licensing LLC*

*v.*

*Oaklandish, LLC*

**By the Trademark Trial and Appeal Board:**

Opposer's motion for partial summary judgment (filed May 9, 2018) as to standing, priority, similarity of the parties' goods, and overlap in the channels of trade and classes of goods and purchasers of the parties' goods is **granted** as conceded. *See* Fed. R. Civ. P. 56; Trademark Rule 2.127(a); TBMP § 502.04 (2018). *See also Boston Chicken Inc. v. Boston Pizza Int'l., Inc.*, 53 USPQ2d 1053 (TTAB 1999).

Proceedings are resumed and dates are reset as set out below.

Deadline for Discovery Conference	7/26/2018
Discovery Opens	7/26/2018
Initial Disclosures Due	8/25/2018
Expert Disclosures Due	12/23/2018
Discovery Closes	1/22/2019
Plaintiff's Pretrial Disclosures Due	3/8/2019

Plaintiff's 30-day Trial Period Ends	4/22/2019
Defendant's Pretrial Disclosures Due	5/7/2019
Defendant's 30-day Trial Period Ends	6/21/2019
Plaintiff's Rebuttal Disclosures Due	7/6/2019
Plaintiff's 15-day Rebuttal Period Ends	8/5/2019
Plaintiff's Opening Brief Due	10/4/2019
Defendant's Brief Due	11/3/2019
Plaintiff's Reply Brief Due	11/18/2019
Request for Oral Hearing (optional) Due	11/28/2019

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).

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