

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

RK/jmw

April 15, 2019

Opposition No. **91241270**

Christos Acquisition, LLC

v.

Christos Dovas New York Corp.

Yong Oh (Richard) Kim, Interlocutory Attorney:

On March 22, 2019, Applicant renewed its motion to amend **Application Serial No. 87712324**, with Opposer's consent.

By the proposed amendment, Applicant seeks to amend the recitation of services in International Class 35 as follows (amendment bolded):

From: Retail stores featuring clothing, evening wear, bridal wear and accessories, fashion accessories, handbags, hats, boleros, shoes, jewelry, cosmetics; Wholesale store services featuring clothing, evening wear, bridal wear and accessories, fashion accessories, handbags, hats, boleros, shoes, jewelry, cosmetics; in International Class 35.

To: Retail stores featuring clothing, evening wear, **bespoke and custom made** bridal wear and accessories, fashion accessories, handbags, hats, boleros, shoes, jewelry, cosmetics; Wholesale store services featuring clothing, evening wear, **bespoke and custom made** bridal wear and accessories, fashion accessories, handbags, hats, boleros, shoes, jewelry, cosmetics; in International Class 35.

Inasmuch as the amendment is limiting in nature, as required by Trademark Rule 2.71(a), and because Opposer consents thereto, it is **APPROVED** and entered. *See* Trademark Rule 2.133(a).

If this resolves the dispute herein, Opposer is allowed until **MAY 13, 2019**, to file a withdrawal of the opposition, failing which the opposition will go forward on the application as amended in accordance with the following schedule:

Discovery Closes	5/15/2019
Plaintiff's Pretrial Disclosures Due	6/29/2019
Plaintiff's 30-day Trial Period Ends	8/13/2019
Defendant's Pretrial Disclosures Due	8/28/2019
Defendant's 30-day Trial Period Ends	10/12/2019
Plaintiff's Rebuttal Disclosures Due	10/27/2019
Plaintiff's 15-day Rebuttal Period Ends	11/26/2019
Plaintiff's Opening Brief Due	1/25/2020
Defendant's Brief Due	2/24/2020
Plaintiff's Reply Brief Due	3/10/2020
Request for Oral Hearing (optional) Due	3/20/2020

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, 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).

* * *