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
December 14, 2020

Opposition No. 91242164

The Sunrider Corporation dba Sunrider International

v.

Sinister Labs, LLC

Kelly Young, Paralegal Specialist:

Opposer's consented motion, filed December 11, 2020, to extend disclosure, discovery, and trial dates is granted. Trademark Rule 2.127(a).

The parties are reminded that any future motion to extend or suspend must be accompanied by a detailed report. The report must set forth what progress the parties have made towards settlement during the previous period of suspension or extension. Absent such a report, any future motion to extend or suspend may not be approved, even though agreed to by the parties.

Trial dates are reset in accordance with Opposer's motion, as follows:

Discovery Closes	1/26/2021
Plaintiff's Pretrial Disclosures Due	3/12/2021
Plaintiff's 30-day Trial Period Ends	4/26/2021
Defendant's Pretrial Disclosures Due	5/11/2021
Defendant's 30-day Trial Period Ends	6/25/2021
Plaintiff's Rebuttal Disclosures Due	7/10/2021
Plaintiff's 15-day Rebuttal Period Ends	8/9/2021
Plaintiff's Opening Brief Due	10/8/2021

Defendant's Brief Due	11/7/2021
Plaintiff's Reply Brief Due	11/22/2021
Request for Oral Hearing (optional) Due	12/2/2021

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).

TIPS FOR FILING EVIDENCE, TESTIMONY, OR LARGE DOCUMENTS

The Board requires each submission to meet the following criteria before it will be considered: 1) pages must be legible and easily read on a computer screen; 2) page orientation should be determined by its ease of viewing relevant text or evidence, for example, there should be no sideways or upside-down pages; 3) pages must appear in their proper order; 4) depositions and exhibits must be clearly labeled and numbered – use separator pages between exhibits and clearly label each exhibit using sequential letters or numbers; and 5) the entire submission should be text-searchable. Additionally, submissions must be compliant with Trademark Rules 2.119 and 2.126.

Submissions failing to meet all of the criteria above may require re-filing. **Note:** Parties are strongly encouraged to check the entire document before filing.[1] The Board will not extend or reset proceeding schedule dates or other deadlines to allow time to re-file documents. For more tips and helpful filing information, please visit the ESTTA help webpage.

[1] To facilitate accuracy, ESTTA provides thumbnails to view each page before submitting.