

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

May 8, 2019

Opposition No. 91247066

IHOP Restaurants LLC

v.

Brad Cooper

Monique Tyson, Paralegal Specialist:

Applicant's motion filed April 16, 2019 to extend time to file its answer to the notice of opposition, and to extend conference, disclosure, discovery and trial dates, is granted as conceded. Trademark Rule 2.127(a).

Answer is due May 28, 2019. An answer must be filed through ESTTA, the Board's Electronic System for Trademark Trials and Appeals. See Trademark Rule 2.106(b)(1)/2.114(b)(1).

The conference, disclosure, discovery and trial dates are reset in accordance with Applicant's motion.

Time to Answer	5/28/2019
Deadline for Discovery Conference	6/27/2019
Discovery Opens	6/27/2019
Initial Disclosures Due	7/27/2019
Expert Disclosures Due	11/24/2019
Discovery Closes	12/24/2019
Plaintiff's Pretrial Disclosures Due	2/7/2020
Plaintiff's 30-day Trial Period Ends	3/23/2020

Defendant's Pretrial Disclosures Due	4/7/2020
Defendant's 30-day Trial Period Ends	5/22/2020
Plaintiff's Rebuttal Disclosures Due	6/6/2020
Plaintiff's 15-day Rebuttal Period Ends	7/6/2020
Plaintiff's Opening Brief Due	9/4/2020
Defendant's Brief Due	10/4/2020
Plaintiff's Reply Brief Due	10/19/2020
Request for Oral Hearing (optional) Due	10/29/2020

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).