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

August 30, 2021

Opposition No. **91247147**

Alapala Makina Gida Sanayi Ve Ticaret Anonim Sirketi A.S.

v.

Alapros Makina Gida Sanayi Ve Ticaret Anonim Sirketi

Yong Oh (Richard) Kim, Interlocutory Attorney:

On March 26, 2020, proceedings herein were suspended pending the testimonial depositions upon written questions of two witnesses, i.e., Çağdaş İngın and Görkem Alapala, by Opposer.[1] On January 8, 2021, Opposer filed notice of its inability to complete the testimonial depositions and requested that its trial period be resumed.[2] Prior to the issuance of any resumption order by the Board, Opposer, on February 10, 2021, filed the declaration testimony of the aforementioned witnesses.[3] Although technically under suspension at the time of filing of the declarations, considering that this matter was originally suspended during Opposer's testimony period and as it would serve no practical purpose to reject the

[1] 11 TTABVUE.

[2] 12 TTABVUE.

[3] 13 – 14 TTABVUE.

filings as premature, the filings are accepted and Opposer's testimony period is otherwise deemed closed.

As provided under Trademark Rule 2.124, Applicant, should it choose to do so, is allowed until **TWENTY DAYS** from the mailing date of this order to serve notice of taking the cross-examination upon written questions of the declarant witnesses. *See* Trademark Rule 2.124(b)(3). Such notice shall be accompanied by the written questions to be propounded, *see* Trademark Rule 2.124(d)(1), and a copy of the notice, but not copies of the questions, shall be filed with the Board. *See* Trademark Rule 2.124(b)(3). Any redirect and recross of the witnesses, as well as the assertion of objections, shall proceed in accordance with Trademark Rule 2.124(d)(1).

Proceedings remain otherwise **SUSPENDED**.[4]

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[4] In the absence of notice from Applicant of taking the cross-examination of Opposer's declarant witnesses, the Board will resume proceedings and reset the remaining trial schedule.