

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

July 22, 2019

Opposition No. 91248409

Harry's Pizzeria Holdings, LLC

v.

Cipriani Group, Inc.

Ellen Yowell, Paralegal Specialist:

Applicant's consented motion, filed July 15, 2019, to extend time to file its answer to the notice of opposition is granted as modified below. Trademark Rule 2.127(a).

The Board acknowledges that Applicant included a certificate of service in its submission. However, the email address on the certificate of service is not Opposer's current email address of record.¹ In order to expedite the matter, a copy of the submission may be viewed using TTABVUE at <http://ttabvue.uspto.gov>. All future submission must include proof of service.

Answer, conference, disclosure, discovery and trial dates, are reset as follows:

Time to Answer	7/22/2019
Deadline for Discovery Conference	8/21/2019
Discovery Opens	8/21/2019
Initial Disclosures Due	9/20/2019
Expert Disclosures Due	1/18/2020

¹ Opposer is advised to file a change of correspondence address through the Board's Electronic System for Trademark Trials and Appeals (ESTTA) at <http://estta.uspto.gov/>, if its correspondence information for this proceeding has changed.

Discovery Closes	2/17/2020
Plaintiff's Pretrial Disclosures Due	4/2/2020
Plaintiff's 30-day Trial Period Ends	5/17/2020
Defendant's Pretrial Disclosures Due	6/1/2020
Defendant's 30-day Trial Period Ends	7/16/2020
Plaintiff's Rebuttal Disclosures Due	7/31/2020
Plaintiff's 15-day Rebuttal Period Ends	8/30/2020
Plaintiff's Opening Brief Due	10/29/2020
Defendant's Brief Due	11/28/2020
Plaintiff's Reply Brief Due	12/13/2020
Request for Oral Hearing (optional) Due	12/23/2020

An answer must be filed through ESTTA, the Board's Electronic System for Trademark Trials and Appeals. *See* Trademark Rule 2.106(b)(1).

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).