

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

September 27, 2019

Opposition No. 91249415

Instagram, LLC

v.

Street Revolution LLC

Lalita Webb, Paralegal Specialist:

The parties stipulated motion filed September 20, 2019, to extend time to file its answer to the notice of opposition is granted.¹² Trademark Rule 2.127(a). 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).

¹ The Board notes that the parties' stipulated submission was not accompanied by a certificate of service. Even though the filing is stipulated, the party filing the request with the Board must include proof of service of the filing on its adversary, as required by Trademark Rule 2.119(b). Counsel should be aware of this requirement. The Board exercises its discretion to consider the filing. However, strict compliance is required in all future submissions filed with the Board. A copy of the filing can be viewed using TTABVUE at <http://ttabvue.uspto.gov>.

² **When parties stipulate to the rescheduling of a deadline for pretrial disclosures and subsequent testimony periods or to the rescheduling of the closing date for discovery and the rescheduling of subsequent deadlines for pretrial disclosures and testimony periods, a stipulation presented in the form used in a trial order, signed by the parties, or a motion in said form signed by one party and including a statement that every other party has agreed thereto, shall be submitted to the Board through ESTTA, with the relevant dates set forth and an express statement that all parties agree to the new dates. Trademark Rule 2.121(d).**

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

Time to Answer	10/30/2019
Deadline for Discovery Conference	11/29/2019
Discovery Opens	11/29/2019
Initial Disclosures Due	12/29/2019
Expert Disclosures Due	4/27/2020
Discovery Closes	5/27/2020
Plaintiff's Pretrial Disclosures Due	7/11/2020
Plaintiff's 30-day Trial Period Ends	8/25/2020
Defendant's Pretrial Disclosures Due	9/9/2020
Defendant's 30-day Trial Period Ends	10/24/2020
Plaintiff's Rebuttal Disclosures Due	11/8/2020
Plaintiff's 15-day Rebuttal Period Ends	12/8/2020
Plaintiff's Opening Brief Due	2/6/2021
Defendant's Brief Due	3/8/2021
Plaintiff's Reply Brief Due	3/23/2021
Request for Oral Hearing (optional) Due	4/2/2021

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, 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).