

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

October 2, 2019

Opposition No. 91251206

Genesco Brands LLC

v.

Leroy Steele

Ellen Yowell, Paralegal Specialist:

Applicant's consented motion for extension filed September 27, 2019 is granted.

Trademark Rule 2.127(a).

The proceeding schedule is reset as follows:

Time to Answer	2/2/2020
Deadline for Discovery Conference	3/3/2020
Discovery Opens	3/3/2020
Initial Disclosures Due	4/2/2020
Expert Disclosures Due	7/31/2020
Discovery Closes	8/30/2020
Plaintiff's Pretrial Disclosures Due	10/14/2020
Plaintiff's 30-day Trial Period Ends	11/28/2020
Defendant's Pretrial Disclosures Due	12/13/2020
Defendant's 30-day Trial Period Ends	1/27/2021
Plaintiff's Rebuttal Disclosures Due	2/11/2021
Plaintiff's 15-day Rebuttal Period Ends	3/13/2021
Plaintiff's Opening Brief Due	5/12/2021
Defendant's Brief Due	6/11/2021
Plaintiff's Reply Brief Due	6/26/2021
Request for Oral Hearing (optional) Due	7/6/2021

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).

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.

APPLICANT'S CORRESPONDENCE INFORMATION

Applicant's withdrawal of attorney filed September 25, 2019 through TEAS, and Applicant's change of address filed September 26, 2019 through TEAS are noted, and the record has been updated to reflect the correspondence information provided in Applicant's change of address.

Applicant is advised that when an application or registration is involved in a Board proceeding, jurisdiction over the application or registration lies with the Board and submissions should be filed utilizing the Board's Electronic System for Trademark Trials and Appeals (ESTTA) at <http://estta.uspto.gov/>.

The withdrawal of attorney and change of address do not indicate proof of service of a copy of same on counsel for Opposer, as required by Trademark Rule 2.119. In order to expedite the matter, a copy of the submissions can be viewed using TTABVUE at <http://ttabvue.uspto.gov/>.

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