

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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mbm/kk

February 17, 2021

Opposition No. 91264424

Sitecore Corporation A/S

v.

Southern Web, LLC

Mary Beth Myles, Interlocutory Attorney:

On December 30, 2020, Opposer filed a motion to compel Applicant's initial disclosures. Applicant did not file a brief in response thereto within the time provided under Trademark Rule 2.127(a).

Opposer seeks an order directing Applicant to serve initial disclosures.

The motion to compel discovery is hereby granted as conceded. *See* Trademark Rule 2.127(a); TBMP § 502.04.

Accordingly, Applicant is directed to serve, within twenty days of the mailing date of this order, its initial disclosures.

In the event that Applicant fails to serve its initial disclosures as ordered herein, Opposer's remedy may lie in a motion for sanctions, as appropriate. *See* Trademark Rule 2.120(h)(1); TBMP § 411.05.

Proceedings are resumed. Discovery, disclosure, and trial dates are reset as indicated below:

Expert Disclosures Due	6/19/2021
Discovery Closes	7/19/2021
Plaintiff's Pretrial Disclosures Due	9/2/2021
Plaintiff's 30-day Trial Period Ends	10/17/2021
Defendant's Pretrial Disclosures Due	11/1/2021
Defendant's 30-day Trial Period Ends	12/16/2021
Plaintiff's Rebuttal Disclosures Due	12/31/2021
Plaintiff's 15-day Rebuttal Period Ends	1/30/2022
Plaintiff's Opening Brief Due	3/31/2022
Defendant's Brief Due	4/30/2022
Plaintiff's Reply Brief Due	5/15/2022
Request for Oral Hearing (optional) Due	5/25/2022

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, matters in evidence, the manner and timing of taking testimony, 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).