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Filing date: **10/27/2021**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91268532
Party	Plaintiff Rasa Vineyards, LLC
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Date	10/27/2021
Attachments	2021.10.27 No. 91268532 Stipulation for ACR Schedule.pdf(119775 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Serial No. 88/496,247
For the Mark: RASASVADA

Rasa Vineyards, LLC,)	
)	
Opposer,)	Opposition No: 91268532
)	
v.)	
)	
Rasasvada, LLC)	
)	
Applicant.)	
)	

STIPULATION FOR ACR SCHEDULE

Rasa Vineyards, LLC and Rasasvada, LLC (the “Parties”) have negotiated terms for an ACR schedule, which are outlined below. The Parties respectfully request entry of the below discovery guidelines and schedule through an appropriate order by the Board.

- The parties waive the submission of pretrial and rebuttal disclosures.
- The parties stipulate that they will not be calling expert witnesses in this case.
- The parties will conduct limited written discovery to the extent needed, including limiting the number of interrogatories to 25, and no discovery depositions.
- The parties will enter a stipulation as to the authenticity of documents.
- The parties will enter a stipulation of facts.
- The parties stipulate to the resolution of motions by telephone conference with the Interlocutory Attorney. This proceeding will not be suspended during the pendency of motions unless otherwise stipulated by the parties. Limited extension/suspension of

scheduled periods up to 30 days are permitted, although these will alter the schedule set out below. The Board, in its discretion, may determine that a particular motion cannot be resolved via teleconference and/or may require issuance of a suspension order.

- The parties do not expect to cross examine affiants. However, cross examination, if any, of affiants after submission of ACR brief and evidence is permitted within 30 days of filing of the affidavit upon notice within seven days of filing of the affidavit, in which case the briefing schedule set forth below will be extended accordingly.
- The parties will forego trial and oral hearings and will submit the case to the Board through ACR briefing in a cross motion for summary judgment format.
- The parties agree that the Board may resolve genuine disputes of material fact and issue a final ruling based on the parties' ACR submissions.
- The schedule is set forth below:
 - Discovery Closes: December 17, 2021
 - Stipulation of Facts, Stipulation as to Authenticity of Documents, and Other Evidence: January 14, 2022
 - Opposer files its ACR brief and evidence with the Board: February 11, 2022
 - Applicant files its ACR brief and evidence with the Board: March 11, 2022
 - Opposer files its ACR rebuttal brief and evidence with the Board: April 1, 2022
 - Applicant files its ACR rebuttal brief and evidence with the Board: April 22, 2022

- Either party can withdraw consent to the ACR procedure at any time, in which case the Board's prior scheduling order will control.

Dated: October 27, 2021.

Respectfully Submitted,

<p>MERTZEL LAW PLLC</p> <p><u>/s Nancy Mertzel/</u> Nancy Mertzel 5 Penn Plaza, 19th Floor New York, New York 10001 (646) 965-6900 docketing@mertzel-law.com</p> <p>LAW OFFICE OF STACY L. WU Stacy L. Wu Silvia Xioayun Sun 411 Lafayette Street, 6th Floor New York, New York 10003 (347) 947-2918 swu@stacywulaw.com silvia@stacywulaw.com office@stacywulaw.com</p> <p>Attorneys for Applicant, Rasasvada, LLC</p>	<p>STOEL RIVES LLP</p> <p><u>/s Elliott J. Williams/</u> Elliott J. Williams Anne Glazer 760 SW Ninth Avenue, Suite 3000 Portland, Oregon 97205 (503) 224-3380 elliott.williams@stoel.com anne.glazer@stoel.com</p> <p>Attorneys for Opposer, Rasa Vineyards LLC</p>
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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing document on the following counsel of record by electronic mail on the date indicated below.

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DATED: October 27, 2021.

STOEL RIVES LLP

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