

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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Alexandria, VA 22313-1451
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June 12, 2019

Cancellation No. 92056206

IML - Instrument Mechanic Labor, Inc.

v.

Frank Rinn

Geoffrey M. McNutt, Interlocutory Attorney:

Respondent's April 17, 2019, consented motion to extend discovery and trial dates is **granted**. Trademark Rule 2.127(a).

The parties are reminded that any future motion to extend or suspend must be accompanied by a detailed progress report setting forth the circumstances warranting further extension or suspension of the discovery and trial deadlines. The report must set forth the progress the parties have made towards completing discovery during the previous periods of suspension or extension, including the dates on which the parties communicated in substance regarding discovery. The report also must state when the parties expect to conclude discovery. Absent such a report, any future motion to extend or suspend may be denied, even though agreed to by the parties.

Discovery and trial dates are reset in accordance with Respondent's motion, as follows:

Discovery Closes	11/19/2019
Plaintiff's Pretrial Disclosures Due	1/3/2020
Plaintiff's 30-day Trial Period Ends	2/17/2020
Defendant's Pretrial Disclosures Due	3/3/2020
Defendant's 30-day Trial Period Ends	4/17/2020
Plaintiff's Rebuttal Disclosures Due	5/2/2020
Plaintiff's 15-day Rebuttal Period Ends	6/1/2020
Plaintiff's Opening Brief Due	7/31/2020
Defendant's Brief Due	8/30/2020
Plaintiff's Reply Brief Due	9/14/2020
Request for Oral Hearing (optional) Due	9/24/2020

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).