

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Mailed: July 26, 2013

Cancellation No. 92056459

Republic Metals Corporation

v.

Mym Untunk Limited

**Andrew P. Baxley, Interlocutory Attorney:**

The motions to extend time to answer that respondent filed on April 25, 2013 and May 28, 2013 are granted to the extent that respondent's time to answer is reset *infra*.<sup>1</sup> Accordingly, the notice of default that the Board issued on July 19, 2013 is vacated.

Petitioner's consented motion (filed July 19, 2013) to suspend proceedings pending the examining attorney's review of a consent agreement in petitioner's pleaded application Serial Nos. 85533102, 85533106, and 85533014 is denied because no such agreement has been filed as of this writing.

The electronic form consented motion to suspend for settlement negotiations that petitioner filed on July 19,

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<sup>1</sup> In an unconsented motion to extend, a movant should not request an extension through a date certain. Briefing of the motion may not be completed prior to the date through which the extension is sought. See Trademark Rules 2.119(c) and 2.127(a). Rather, a movant should request an extension of a specified duration to run from the date of the Board's decision on the motion to extend. See TBMP Section 509.02 (3d ed. rev. 2 2013).

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2013 contains an incorrect proposed schedule. Accordingly, the Board's July 19, 2013 is vacated. However, that motion is granted as modified by this order.

Proceedings herein are suspended until January 17, 2014, subject to either party's right to resquest resumption at any time. If there is no word from the parties concerning the status of their negotiations by the end the suspension period, proceedings herein will resume on January 18, 2014 under the following schedule.

Answer Due	2/17/2014
Deadline for Discovery Conference	3/19/2014
Discovery Opens	3/19/2014
Initial Disclosures Due	4/18/2014
Expert Disclosures Due	8/16/2014
Discovery Closes	9/15/2014
Plaintiff's Pretrial Disclosures Due	10/30/2014
Plaintiff's 30-day Trial Period Ends	12/14/2014
Defendant's Pretrial Disclosures Due	12/29/2014
Defendant's 30-day Trial Period Ends	2/12/2015
Plaintiff's Rebuttal Disclosures Due	2/27/2015
Plaintiff's 15-day Rebuttal Period Ends	3/29/2015

In each instance, a copy of the transcript of testimony, together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

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If either of the parties or their attorneys should have a change of address, the Board should be so informed promptly.