

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

Mailed: May 14, 2018

Cancellation No. 92058950

PDR Cigars USA Inc.

v.

Variety House Dist. LLC

Amy Matelski, Paralegal Specialist:

On April 9, 2018 the Board granted Respondent's withdrawal of counsel of record and allowed Respondent time to appoint new counsel or to indicate Respondent chooses to represent itself. On May 9, 2018 Respondent filed communication which the Board will construe as Respondent choosing to represent itself in this proceeding.

In view thereof, proceedings herein are resumed and trial dates are reset as follows:

Plaintiff's 30-day Trial Period Ends	6/13/2018
Defendant's Pretrial Disclosures Due	6/28/2018
Defendant's 30-day Trial Period Ends	8/12/2018
Plaintiff's Rebuttal Disclosures Due	8/27/2018
Plaintiff's 15-day Rebuttal Period Ends	9/26/2018
Plaintiff's Opening Brief Due	11/25/2018
Defendant's Brief Due	12/25/2018
Plaintiff's Reply Brief Due	1/9/2019
Request for Oral Hearing (optional) Due	1/19/2019

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).