

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 15, 2017

Cancellation No. 92060632

L.A. Gear, Inc.

v.

The Los Angeles Lakers, Inc.

Victoria von Vistauxx, Paralegal Specialist:

Petitioner's consented motion, filed May 8, 2017, to suspend this proceeding for 60 days is granted.

Because the parties are negotiating for a possible settlement of this case, proceedings are suspended, subject to the right of either party to request resumption at any time. *See* Trademark Rule 2.117(c), and 2.127(a); and TBMP § 605.02).

If, during the suspension period, either of the parties or their attorneys have a change of address or email address, the Board should be so informed. *See* Trademark Rule 2.18(b)(1).

In the event that there is no word from either party concerning the progress of their negotiations, upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board, in accordance with the schedule as set forth below.

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|---|-------------------|
| Proceedings Resume | 7/6/2017 |
| Discovery Closes | 8/5/2017 |
| Plaintiff's Pretrial Disclosures Due | 9/19/2017 |
| Plaintiff's 30-day Trial Period Ends | 11/3/2017 |
| Defendant's Pretrial Disclosures Due | 11/18/2017 |
| Defendant's 30-day Trial Period Ends | 1/2/2018 |
| Plaintiff's Rebuttal Disclosures Due | 1/17/2018 |
| Plaintiff's 15-day Rebuttal Period Ends | 2/16/2018 |
| Plaintiff's Opening Brief Due | 4/17/2018 |
| Defendant's Brief Due | 5/17/2018 |
| Plaintiff's Reply Brief Due | 6/1/2018 |

The Board notes that there have been numerous extensions and suspensions granted in this proceeding. The parties are advised that to continue to seek further extensions or suspensions after this period expires, the parties will be expected to provide a **detailed progress** report regarding the progress of parties' settlement negotiations, in order to establish **good cause**. The detailed report **must** include a recitation of all issues that have been resolved, the issues that remain to be resolved and a timetable for a final resolution. Absent the detailed report, a further motion to extend or suspend may not be granted even if stipulated between the parties.

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

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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).