

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: August 17, 2015

Cancellation No. 92061263

Kinco, LLC

v.

D.P.I. Imports Inc.

Monique Tyson, Paralegal Specialist:

Respondent's consented motion (filed August 6, 2015) to suspend this proceeding for 60 days is granted.¹

Because the parties are negotiating for a possible settlement of this case, proceedings are suspended up to, and including October 11, 2015, subject to the right of either party to request resumption at any time. *See* Trademark Rules 2.117(c), and 2.127(a); and TBMP § 605.02.

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, upon the schedule set forth below.

¹ It is noted that respondent's motion provides proof of service upon an address for petitioner that is not of record in this proceeding. Petitioner is reminded of its requirement to keep the Board apprised as to its current address so that Office records may be amended accordingly. *See* TBMP § 117.07. As a one-time courtesy, a copy of this order is hereby forwarded to the address listed in the certificate of service.

Respondent is allowed until November 10, 2015 in which to answer the petition for cancellation. Conferencing, disclosure, discovery and trial dates are reset as follows:

Time to Answer	11/10/2015
Deadline for Discovery Conference	12/10/2015
Discovery Opens	12/10/2015
Initial Disclosures Due	1/9/2016
Expert Disclosures Due	5/8/2016
Discovery Closes	6/7/2016
Plaintiff's Pretrial Disclosures	7/22/2016
Plaintiff's 30-day Trial Period Ends	9/5/2016
Defendant's Pretrial Disclosures	9/20/2016
Defendant's 30-day Trial Period Ends	11/4/2016
Plaintiff's Rebuttal Disclosures	11/19/2016
Plaintiff's 15-day Rebuttal Period Ends	12/19/2016

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.

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.²

² If the parties are (or during the pendency of this proceeding become) parties to another proceeding involving the subject application/registration, the parties must notify the Board so the Board can consider whether consolidation or suspension of proceedings is appropriate.