

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

Baxley

Mailed: November 20, 2017

Cancellation No. 92066302

Paige M. Romanowski

v.

Zul-Qurnain Coaker

Andrew P. Baxley, Interlocutory Attorney:

On November 14, 2017, Petitioner filed a motion to compel initial disclosures and discovery responses. Although Respondent's time to respond thereto has not lapsed, the Board elects to decide the motion now. *See* Trademark Rule 2.127(a); TBMP § 502.04 (June 2017).

The motion was filed more than thirty days after the September 27, 2017 due date for initial disclosures. *See* Trademark Rule 2.120(f)(1). Accordingly, the motion is denied as untimely with regard to initial disclosures.

With regard to the discovery requests at issue in Petitioner's motion, Petitioner's single e-mail sent three weeks prior to the filing of the motion to compel falls short of the requisite good faith effort to resolve the parties' discovery dispute prior to seeking Board intervention. *See Hot Tamale Mama...and More, LLC v. SF Invs., Inc.*, 110 USPQ2d 1080, 1082 (TTAB 2014). Accordingly, the motion to compel is denied without prejudice with regard to Petitioner's discovery requests.

Dates remain as set in the Board notice instituting this proceeding.