

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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June 2, 2018

Cancellation No. 92066320

Fitness Labs Nutrition Corporation

v.

*Research Sports Nutrition, LLC and Nutrition Distribution, LLC (joined as defendant)*¹

Andrew P. Baxley, Interlocutory Attorney:

The stipulation (filed May 23, 2018) to extend dates is granted.² Remaining dates are reset in accordance with the schedule set forth in the stipulation.

¹ On July 20, 2017, during the pendency of this proceeding, a document reflecting the assignment of the involved application Research Sports Nutrition, LLC to Nutrition Distribution, LLC was recorded in the USPTO's Assignment Division at Reel 6110/Frame 0054. In view thereof, Nutrition Distribution, LLC is hereby joined as a party defendant in this proceeding. See TBMP § 512.01 (June 2017) (a party will be joined rather than substituted when assignment occurs after commencement of proceeding to facilitate discovery).

² When parties stipulate to the rescheduling of a deadline for pretrial disclosures and subsequent testimony periods or to the rescheduling of the closing date for discovery and the rescheduling of subsequent deadlines for pretrial disclosures and testimony periods, a stipulation presented in the form used in a trial order, signed by the parties, or a motion in said form signed by one party and including a statement that every other party has agreed thereto, shall be submitted to the Board through ESTTA, with the relevant dates set forth and an express statement that all parties agree to the new dates. Trademark Rule 2.121(d). Where appropriate, the Board prefers that parties use the electronic form motions set forth in <https://estta.uspto.gov/> in filing consented motions to extend or suspend dates.