

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: November 9, 2017

Cancellation No. 92066978

Whiting-Robertsdale Chamber of Commerce

v.

Revive Marketing Group, LLC

Nicole Thier, Paralegal Specialist:

On November 8, 2017, Respondent filed an answer to the petition to cancel and a counterclaim to cancel Petitioner's pleaded Registration(s) No. 3476218. Respondent submitted the required fee.

Petitioner and counterclaim defendant, Whiting-Robertsdale Chamber of Commerce, is allowed until forty days from the mailing date of this order to file an answer to the counterclaim. *See* Trademark Rules 2.114(b)(3)(iii).

In accordance with the Trademark Rules of Practice, the parties' obligation to hold their discovery conference by the deadline stated in the prior order is stayed, and conferencing, disclosure, discovery and testimony periods are reset as indicated below. *See* Trademark Rule 2.121(b)(2).

Answer to Counterclaim Due	December 19, 2017
Deadline for Discovery Conference	January 18, 2018
Discovery Opens	January 18, 2018
Initial Disclosures Due	February 17, 2018
Expert Disclosures Due	June 17, 2018

Discovery Closes	July 17, 2018
Plaintiff's Pretrial Disclosures	August 31, 2018
30-day testimony period for plaintiff's testimony to close	October 15, 2018
Defendant/Counterclaim Plaintiff's Pretrial Disclosures	October 30, 2018
30-day testimony period for defendant and plaintiff in the counterclaim to close	December 14, 2018
Counterclaim Defendant's and Plaintiff's Rebuttal Disclosures Due	December 29, 2018
30-day testimony period for defendant in the counterclaim and rebuttal testimony for plaintiff to close	February 12, 2019
Counterclaim Plaintiff's Rebuttal Disclosures Due	February 27, 2019
15-day rebuttal period for plaintiff in the counterclaim to close	March 29, 2019
Brief for plaintiff due	May 28, 2019
Brief for defendant and plaintiff in the counterclaim due	June 27, 2019
Brief for defendant in the counterclaim and reply brief, if any, for plaintiff due	July 27, 2019
Reply brief, if any, for plaintiff in the counterclaim due	August 11, 2019

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. *See* Trademark Rule 2.121(d).

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).