

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
General Email: TTABInfo@uspto.gov

November 29, 2018

Cancellation No. 92069157

USTOV, Inc.

v.

Shih-Ming CHEN

Monique Tyson, Paralegal Specialist:

The Board sent notice of institution of this proceeding to Respondent on August 8, 2018. After investigation, the Board's order should have been forwarded to the domestic representative.

Accordingly, the notice of default entered on October 2, 2018 is hereby vacated and the notice of institution is remailed.^[1]

In view of the circumstances, the time for filing an answer to the petition to cancel is extended to forty days from the mailing date of this order. If the parties to this proceeding are also parties to any other Board proceedings involving related marks or, during the pendency of this proceeding, become parties to such proceedings, they should notify the Board immediately, so that the Board can consider consolidation of proceedings.

^[1] A copy of the petition to cancel can be viewed using TTABVUE at <http://ttabvue.uspto.gov>.

In accordance with the Trademark Rules of Practice, conference, disclosure, discovery and trial dates are reset as indicated below.

Time to Answer	1/8/2019
Deadline for Discovery Conference	2/7/2019
Discovery Opens	2/7/2019
Initial Disclosures Due	3/9/2019
Expert Disclosures Due	7/7/2019
Discovery Closes	8/6/2019
Plaintiff's Pretrial Disclosures Due	9/20/2019
Plaintiff's 30-day Trial Period Ends	11/4/2019
Defendant's Pretrial Disclosures Due	11/19/2019
Defendant's 30-day Trial Period Ends	1/3/2020
Plaintiff's Rebuttal Disclosures Due	1/18/2020
Plaintiff's 15-day Rebuttal Period Ends	2/17/2020
Plaintiff's Opening Brief Due	4/17/2020
Defendant's Brief Due	5/17/2020
Plaintiff's Reply Brief Due	6/1/2020
Request for Oral Hearing (optional) Due	6/11/2020

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).