

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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EJW

July 22, 2019

Cancellation No. 92070467

Health Alliance Plan of Michigan

v.

Happify Inc.

ELIZABETH J. WINTER, INTERLOCUTORY ATTORNEY:

The Board's first order mailed on July 22, 2019, was issued in error and is hereby **VACATED**.¹

The Board notes the submission filed by Respondent on July 1, 2019, 10 TTABVUE 2, stating that the parties stipulate to waive the reciprocal obligations to serve initial disclosures in this proceeding as set forth in Trademark Rules 2.120(a)(2)(ii) and (a)(3). *See also* Fed. R. Civ. P. 26(a)(1)(A)(i) and (ii). The Board also notes that the parties plan to utilize traditional discovery devices, as permitted by the Trademark Rules and Federal Rules of Civil Procedure. *See Boston Red Sox Baseball Club LP v. Chaveriat*, 87 USPQ2d 1767, 1768 (TTAB 2008). The stipulation is approved. *See* TBMP §§ 401.02 and 401.04.

Discovery and trial dates remain as previously set.

¹ Any inconvenience caused by the first order is regretted.