

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

August 7, 2020

Cancellation No. 92071349

*NT-MDT LLC*

*v.*

*Irina S. Kozodaeva*

**Lawrence T. Stanley, Jr., Interlocutory Attorney:**

The Board notes Petitioner's withdrawal, filed August 3, 2020, of its March 13, 2020, motion for summary judgment. In view thereof, the motion for summary judgment shall be given no further consideration.<sup>1</sup>

Proceedings are **resumed**, and dates are reset as follows:

Discovery Closes	8/26/2020
Plaintiff's Pretrial Disclosures Due	10/10/2020
Plaintiff's 30-day Trial Period Ends	11/24/2020
Defendant's Pretrial Disclosures Due	12/9/2020
Defendant's 30-day Trial Period Ends	1/23/2021
Plaintiff's Rebuttal Disclosures Due	2/7/2021
Plaintiff's 15-day Rebuttal Period Ends	3/9/2021

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<sup>1</sup> In its notice of withdrawal of its motion for summary judgment, Petitioner states that it anticipates the parties will stipulate to the case being decided utilizing the Accelerated Case Resolution (ACR) process under TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE (TBMP) § 538.05(a)(2). The assigned Interlocutory Attorney is available for telephone conferences to further discuss ACR and to assist the parties in crafting an ACR stipulation, if the parties are interested.

Plaintiff's Opening Brief Due	5/8/2021
Defendant's Brief Due	6/7/2021
Plaintiff's Reply Brief Due	6/22/2021
Request for Oral Hearing (optional) Due	7/2/2021

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).