

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
TTAB Assistance Center: 571-272-8500
General Email: TTABInfo@uspto.gov

January 14, 2020

Cancellation No. 92071778

Medsphere Systems Corporation

v.

Koninklijke Philips Electronics N.V.

Karl Kochersperger, Paralegal Specialist:

The appearance (filed August 27, 2019) by counsel for Respondent is noted and the proceeding file has been updated to reflect the change.¹

In view thereof, proceedings are resumed and dates are reset as follows:

| | |
|---|------------|
| Time to Answer ² | 2/13/2020 |
| Deadline for Discovery Conference | 3/14/2020 |
| Discovery Opens | 3/14/2020 |
| Initial Disclosures Due | 4/13/2020 |
| Expert Disclosures Due | 8/11/2020 |
| Discovery Closes | 9/10/2020 |
| Plaintiff's Pretrial Disclosures Due | 10/25/2020 |
| Plaintiff's 30-day Trial Period Ends | 12/9/2020 |
| Defendant's Pretrial Disclosures Due | 12/24/2020 |
| Defendant's 30-day Trial Period Ends | 2/7/2021 |
| Plaintiff's Rebuttal Disclosures Due | 2/22/2021 |
| Plaintiff's 15-day Rebuttal Period Ends | 3/24/2021 |
| Plaintiff's Opening Brief Due | 5/23/2021 |
| Defendant's Brief Due | 6/22/2021 |

¹ It is noted that this appearance was filed with the Trademark Law Offices and should have been filed with the Board via ESTTA for faster processing in connection with the instant proceeding. TBMP Section 117.07.

² A copy of the petition for cancellation has been included with this Board order.

Plaintiff's Reply Brief Due
Request for Oral Hearing (optional) Due

7/7/2021
7/17/2021

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).

TIPS FOR FILING EVIDENCE, TESTIMONY, OR LARGE DOCUMENTS

The Board requires each submission to meet the following criteria before it will be considered: 1) pages must be legible and easily read on a computer screen; 2) page orientation should be determined by its ease of viewing relevant text or evidence, for example, there should be no sideways or upside-down pages; 3) pages must appear in their proper order; 4) depositions and exhibits must be clearly labeled and numbered – use separator pages between exhibits and clearly label each exhibit using sequential letters or numbers; and 5) the entire submission should be text-searchable. Additionally, submissions must be compliant with Trademark Rules 2.119 and 2.126. Submissions failing to meet all of the criteria above may require re-filing. **Note:**

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Parties are strongly encouraged to check the entire document before filing.³ The Board will not extend or reset proceeding schedule dates or other deadlines to allow time to re-file documents. For more tips and helpful filing information, please visit the [ESTTA help](#) webpage.

³ To facilitate accuracy, ESTTA provides thumbnails to view each page before submitting.