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

December 20, 2022

Cancellation No. 92077560

Solar Industries, Inc.

v.

Siegenia-Aubi KG

Ellen Yowell, Lead Paralegal Specialist:

Respondent's consented motion, filed December 15, 2022, to re-open and extend time to file an answer to the petition to cancel is granted.[1] Trademark Rule 2.127(a).

The parties are reminded that any future motion to extend or suspend must be accompanied by a detailed report. The report must set forth what progress the parties have made towards settlement during the previous period of suspension or extension. Absent such a report, any future motion to extend or suspend may not be approved, even though agreed to by the parties.

[1] 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. Trademark Rule 2.121(d).

An answer must be filed through ESTTA, the Board's Electronic System for Trademark Trials and Appeals. *See* Trademark Rule 2.114(b)(1).

The proceeding schedule is reset as follows:

Time to Answer	3/12/2023
Deadline for Discovery Conference	4/11/2023
Discovery Opens	4/11/2023
Initial Disclosures Due	5/11/2023
Expert Disclosures Due	9/8/2023
Discovery Closes	10/8/2023
Plaintiff's Pretrial Disclosures Due	11/22/2023
Plaintiff's 30-day Trial Period Ends	1/6/2024
Defendant's Pretrial Disclosures Due	1/21/2024
Defendant's 30-day Trial Period Ends	3/6/2024
Plaintiff's Rebuttal Disclosures Due	3/21/2024
Plaintiff's 15-day Rebuttal Period Ends	4/20/2024
Plaintiff's Opening Brief Due	6/19/2024
Defendant's Brief Due	7/19/2024
Plaintiff's Reply Brief Due	8/3/2024
Request for Oral Hearing (optional) Due	8/13/2024

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:** Parties are strongly encouraged to check the entire document before filing.[2] 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.

[2] To facilitate accuracy, ESTTA provides thumbnails to view each page before submitting.