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

October 24, 2024

Cancellation No. 92084589

Gibson, Inc.

v.

Concordia Investment Partners, LLC

LaTricia Harrison, Paralegal Specialist:

On September 30, 2024, Respondent filed an answer to the petition to cancel and a counterclaim to cancel petitioner's pleaded Registration No. 2885394. Respondent submitted the required fee. 16 TTABVUE.

Petitioner and counterclaim defendant, Gibson, Inc., is allowed until **thirty days** from the mailing date of this order to file an answer to the counterclaim. *See* Trademark Rules 2.114(b)(3)(iii).

In accordance with the Trademark Rules of Practice, the parties' obligation to hold their discovery conference by the deadline stated in the prior order is stayed, and conferencing, disclosure, discovery and testimony periods are reset as indicated below. *See* Trademark Rule 2.121(b)(2).

Answer to Counterclaim Due	**11/23/2024**
Deadline for Discovery Conference	12/23/2024
Discovery Opens	12/23/2024
Initial Disclosures Due	1/22/2025

Expert Disclosures Due	5/22/2025
Discovery Closes	6/21/2025
Pretrial Disclosures Due for Party in Position of Plaintiff in Original Claim	8/5/2025
30-day Trial Period Ends for Party in Position of Plaintiff in Original Claim	9/19/2025
Pretrial Disclosures Due for Party in Position of Defendant in Original Claim and in Position of Plaintiff in Counterclaim	10/4/2025
30-day Trial Period Ends for Party in Position of Defendant in Original Claim, and in Position of Plaintiff in Counterclaim	11/18/2025
Pretrial Disclosures Due for Rebuttal of Party in Position of Plaintiff in Original Claim and in Position of Defendant in Counterclaim	12/3/2025
30-day Trial Period Ends for Rebuttal of Party in Position of Plaintiff in Original Claim, and in Position of Defendant in Counterclaim	1/17/2026
Pretrial Disclosures Due for Rebuttal of Party in Position of Plaintiff in Counterclaim	2/1/2026
15-day Trial Period Ends for Rebuttal of Party in Position of Plaintiff in Counterclaim	3/3/2026
Opening Brief for Party in Position of Plaintiff in Original Claim Due	5/2/2026
Combined Brief for Party in Position of Defendant in Original Claim and Opening Brief as Plaintiff in Counterclaim Due	6/1/2026
Combined Rebuttal Brief for Party in Position of Plaintiff in Original Claim and Brief as Defendant in Counterclaim Due	7/1/2026
Rebuttal Brief for Party in Position of Plaintiff in Counterclaim Due	7/16/2026
Request for Oral Hearing (optional) Due	7/26/2026

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. *See* Trademark Rule 2.121(d).

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.[1] 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.

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