

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

Mailed: August 18, 2017

Opposition No. 91235231

Nike, Inc.

v.

Gronk Nation, L.L.C.

Victoria von Vistauxx, Paralegal Specialist:

On August 15, 2017, a notice of default was issued to Applicant because it failed to file an answer to the notice of opposition. After investigation, the Board has obtained a different possible addresses for Applicant, and believes that service can be effected by remailing a copy of the notice of opposition to the following addresses:

**BRADLEY ARANT BOULT CUMMINGS
1615 L ST NW #1350
WASHINGTON DC 20036
UNITED STATES**

**ONE FEDERAL PLACE
1819 5TH AVE NORTH
BIRMINGHAM AL 35203-2119
UNITED STATES**

Accordingly, the notice of default issued on August 15, 2017, is hereby set aside, and the notice of institution is remailed as indicated above.¹

Applicant is allowed until forty days from the mailing date of this order in which to file a change of correspondence form through ESTTA informing this Office of its correct email address and address. Compliance with Trademark Rule 2.193(3) and Trademark 2.119(a) is required.

If there has been any transfer of interest in the involved application, Applicant must so advise the Board and submit copies of the appropriate documents. *See* Trademark Act § 10 and Patent and Trademark Rules 3.71 and 3.73.

In view of the circumstances, the time for filing an answer to the notice of opposition is extended to forty days from the mailing date of this order. Notice is hereby given that unless the Applicant listed herein, its assigns or legal representatives, shall enter an appearance, or file an answer or other response to the petition within the time provided in this order, this proceeding may proceed as in the case of default.²

If the parties to this proceeding are also parties to any other Board proceedings involving related marks or, during the pendency of this proceeding, become parties to such proceedings, they should notify the Board immediately, so that the Board can consider consolidation of proceedings. *See* TBMP § 511.

¹ A copy of the notice of opposition can be viewed using TTABVUE at <http://ttabvue.uspto.gov>.

² An answer must be filed through ESTTA. *See* Trademark Rule 2.106(b)(1)/2.114(b)(1). Moreover, all submissions to the Board must be made through ESTTA. *See* Trademark Rule 2.126(a). ESTTA is accessible at <http://estta.uspto.gov>.

In accordance with the Trademark Rules of Practice, conference, disclosure, discovery and trial dates are reset as indicated below.

Deadline for Discovery Conference	10/27/2017
Discovery Opens	10/27/2017
Initial Disclosures Due	11/26/2017
Expert Disclosures Due	3/26/2018
Discovery Closes	4/25/2018
Plaintiff's Pretrial Disclosures Due	6/9/2018
Plaintiff's 30-day Trial Period Ends	7/24/2018
Defendant's Pretrial Disclosures Due	8/8/2018
Defendant's 30-day Trial Period Ends	9/22/2018
Plaintiff's Rebuttal Disclosures Due	10/7/2018
Plaintiff's 15-day Rebuttal Period Ends	11/6/2018
Plaintiff's Opening Brief Due	1/5/2019
Defendant's Brief Due	2/4/2019
Plaintiff's Reply Brief Due	2/19/2019
Request for Oral Hearing (optional) Due	3/1/2019

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, matters in evidence, the manner and timing of taking testimony, 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

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final hearing will be scheduled only upon the timely submission of a separate notice as allowed by Trademark Rule 2.129(a).

A copy of this order has been sent to all persons listed below.

cc:

GRONK NATION LLC
1601 KINGSWOOD LANE
COLLEYVILLE TX 76034