

ESTTA Tracking number: **ESTTA341495**

Filing date: **04/08/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91186209
Party	Plaintiff Sizzler USA Franchise, Inc.
Correspondence Address	Jessica C. Bromall Jeffer, Mangels, Butler & Marmaro LLP 1900 Ave. of the Stars, 7th Floor Los Angeles, CA 90067-4308 UNITED STATES trademarkdocket@jmbm.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Jessica C. Bromall
Filer's e-mail	trademarkdocket@jmbm.com
Signature	/jessica c. bromall/
Date	04/08/2010
Attachments	Consent Motion to Extend - 4-2010.pdf ( 3 pages )(10528 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

SIZZLER USA FRANCHISE, INC.,  Opposer,  v.  ICON BURGER DEVELOPMENT COMPANY,  Applicant.	Opposition No.: 91/186,209  Application Serial No.: 77/427,433  Mark: SMASH SMASH.SIZZLE.SAVOR. & Design  Published for Opposition: August 5, 2008  Atty. Ref. No.: 59243-9074
---	---

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

**CONSENTED MOTION TO EXTEND**

Opposer Sizzler USA Franchise, Inc. ("Opposer"), with the consent of applicant Icon Burger Development Company ("Applicant"), hereby requests that the case management dates in this matter, including the close of Opposer's testimony period, be extended by thirty (30) days, and reset as set forth below:

	CURRENT DATE	PROPOSED DATE
Plaintiff's 30-day Trial Period Ends:	April 7, 2010	May 7, 2010
Defendant's Pretrial Disclosures:	April 22, 2010	May 22, 2010
Defendant's 30-day Trial Period Ends:	June 6, 2010	July 6, 2010
Plaintiff's Rebuttal Disclosures:	June 21, 2010	July 21, 2010
Plaintiff's 15-day Rebuttal Ends:	July 21, 2010	August 20, 2010

The parties are in the process of finalized settlement and Applicant has specifically consented to the thirty (30) day extension requested herein.

Respectfully submitted,

Dated: April 8, 2010

/s/ Jessica C. Bromall \_\_\_\_\_

Rod S. Berman  
Jessica C. Bromall  
JEFFER, MANGELS, BUTLER & MARMARO LLP  
1900 Avenue of the Stars, Seventh Floor  
Los Angeles, CA 90067  
(310) 203-8080  
E-mail: trademarkdocket@jmbm.com  
Attorneys for Opposer Sizzler USA Franchise, Inc.

**CERTIFICATE OF SERVICE**

It is hereby certified that on **April 8, 2010**, a copy of the foregoing CONSENTED MOTION TO EXTEND has been sent by e-mail, pursuant to agreement of the parties, to Applicant's attorney at the following address:

Timothy P. Gerzoff  
HOLLAND & HART LLP  
One Boulder Plaza, 1800 Broadway, Suite 300  
Boulder, CO 80302  
Email: TGetzoff@hollandhart.com

Dated: April 8, 2010

---

Jessica C. Bromall