

ESTTA Tracking number: **ESTTA315107**

Filing date: **11/04/2009**

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

|             |  |
|-------------|--|
| Proceeding. | 91191735                                     |
| Applicant   | Plaintiff<br>Abercrombie & Fitch Trading Co. |
| Other Party | Defendant<br>Cheney, Kenneth Michael         |

## Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Defendant's Time to Answer is currently set to close on 11/10/2009. Abercrombie & Fitch Trading Co. requests that such date be extended for 30 days, or until 12/10/2009, and that all subsequent dates be reset accordingly.

|   |            |
|---|------------|
| Time to Answer :                          | 12/10/2009 |
| Deadline for Discovery Conference :       | 01/09/2010 |
| Discovery Opens :                         | 01/09/2010 |
| Initial Disclosures Due :                 | 02/08/2010 |
| Expert Disclosure Due :                   | 06/08/2010 |
| Discovery Closes :                        | 07/08/2010 |
| Plaintiff's Pretrial Disclosures :        | 08/22/2010 |
| Plaintiff's 30-day Trial Period Ends :    | 10/06/2010 |
| Defendant's Pretrial Disclosures :        | 10/21/2010 |
| Defendant's 30-day Trial Period Ends :    | 12/05/2010 |
| Plaintiff's Rebuttal Disclosures :        | 12/20/2010 |
| Plaintiff's 15-day Rebuttal Period Ends : | 01/19/2011 |

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

Abercrombie & Fitch Trading Co. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Abercrombie & Fitch Trading Co. has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,

/jacob kramer/

Jacob Kramer

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11/04/2009