

ESTTA Tracking number: **ESTTA328137**

Filing date: **01/22/2010**

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

Proceeding	91191906
Party	Defendant Drayton, Shawn T.
Correspondence Address	SHAWN T. DRAYTON 2 GRACE COURT 2-O BROOKLYN, NY 11201 UNITED STATES mswyers@TheTrademarkCompany.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Matthew H. Swyers
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Signature	/Matthew H. Swyers/
Date	01/22/2010
Attachments	Motion for Extension of Time to File Answer WITH CONSENT 2.pdf (4 pages) (17039 bytes)

4. Opposer's counsel graciously provided the requested consent and Applicant, by counsel, filed for and received a 30-day extension in which to file its answer or until November 23, 2009.

5. During this additional time Applicant considered its options, defenses, and otherwise and contacted opposing counsel to determine what, if any, avenue for resolution of the instant matter could be considered.

6. Resolution had yet to be reached although settlement discussions were ongoing requiring Applicant to request an additional 30-day extension to further settlement discussions with the Opposer. The motion was filed and the dates reset for the Answer to December 23, 2009.

7. A subsequent motion was filed and granted resetting the date to answer to January 23, 2010.

8. The full and final settlement agreement for this matter has now been executed by one party and it is anticipated that it will be full executed by the other party with one week.

Motion

The time for filing an answer may be extended on motion granted by the Board for good cause shown. *See* TBMP §§ 310.03(c), 509.01(a). A motion to extend must set forth with particularity the facts said to constitute good cause for the requested extension. *See* TBMP § 509.01(a).

In the instant case, Applicant seeks additional time to complete the resolution of this matter requiring only the signature of one additional party to on an agreement to finalize the same.

This request is not being sought to delay the proceedings herein.

Opposer's consent was sought for the instant motion and was provided.

Conclusion

WHEREFORE for good cause shown Applicant Shawn T. Drayton, by counsel, prays that it be granted an extension of time to file its answer in this matter until **February 23, 2010**.

Respectfully submitted this 22nd day of January, 2010.

The Trademark Company, PLLC

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