

ESTTA Tracking number: **ESTTA582063**

Filing date: **01/15/2014**

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

Proceeding.	91195609
Applicant	Plaintiff Minnesota Twins, LLC
Other Party	Defendant Minnesota Wild Hockey Club, L.P.
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	No

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 01/15/2014. Minnesota Twins, LLC requests that such date be extended for 90 days, or until 04/15/2014, and that all subsequent dates be reset accordingly.

Time to Answer :	04/15/2014
Deadline for Discovery Conference :	05/15/2014
Discovery Opens :	05/15/2014
Initial Disclosures Due :	06/14/2014
Expert Disclosure Due :	10/12/2014
Discovery Closes :	11/11/2014
Plaintiff's Pretrial Disclosures :	12/26/2014
Plaintiff's 30-day Trial Period Ends :	02/09/2015
Defendant's Pretrial Disclosures :	02/24/2015
Defendant's 30-day Trial Period Ends :	04/10/2015
Plaintiff's Rebuttal Disclosures :	04/25/2015
Plaintiff's 15-day Rebuttal Period Ends :	05/25/2015

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *Since the last suspension deadline, the parties have made substantial progress towards resolution of this matter. Following receipt of the last written settlement counterproposal presented by counsel for Applicant, in-house counsel for Opposer reviewed the proposed terms, and discussed those and other terms internally to determine possible grounds for agreement and/or counterproposal. Subsequently, in October, 2013, Opposer's in-house counsel discussed all of the proposed terms and proposed structure of the agreement with Opposer's outside counsel, which was then requested to draft a written agreement memorializing all of the terms and necessary boilerplate. In early November, 2013, Opposer's outside counsel provided Opposer's in-house counsel with a draft agreement. Opposer's in-house counsel then reviewed the draft, discussed internally and revised extensively to reflect the negotiation between the parties. On January 14, 2014, in-house counsel for Opposer and outside counsel for Applicant engaged in a telephone discussion in an attempt to clarify certain outstanding points that became apparent in the*

drafting stage of the agreement. Additional revisions were then made to the agreement and the Exhibits by Opposer's in-house counsel and sent to Opposer's outside counsel to be input and finalized so that the draft agreement can be forwarded to Applicant's outside counsel on January 16, 2014 for Applicant's consideration. Both parties believe that resolution of this matter is close. The additional time is needed for such settlement agreement which memorializes the terms of the agreement for this matter, as well as a matter between the parties in Canada involving the same marks and similar issues, to be reviewed by Applicant and its counsel, and for any remaining issues to be negotiated so that this written Agreement, when finalized, will allow the parties to resolve this matter and the matter in Canada, without the need to proceed with the Opposition.

Minnesota Twins, LLC has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Minnesota Twins, LLC 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 First Class Mail on this date.

Respectfully submitted,
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01/15/2014