

ESTTA Tracking number: **ESTTA415166**

Filing date: **06/17/2011**

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

Proceeding.	91195820
Applicant	Defendant NEXUS FOODS, INC
Other Party	Plaintiff Kraft Foods Schweiz Holding Gmbh

## 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 06/17/2011. NEXUS FOODS, INC requests that such date be extended for 60 days, or until 08/16/2011, and that all subsequent dates be reset accordingly.

Time to Answer :	08/16/2011
Deadline for Discovery Conference :	09/15/2011
Discovery Opens :	09/15/2011
Initial Disclosures Due :	10/15/2011
Expert Disclosure Due :	02/12/2012
Discovery Closes :	03/13/2012
Plaintiff's Pretrial Disclosures :	04/27/2012
Plaintiff's 30-day Trial Period Ends :	06/11/2012
Defendant's Pretrial Disclosures :	06/26/2012
Defendant's 30-day Trial Period Ends :	08/10/2012
Plaintiff's Rebuttal Disclosures :	08/25/2012
Plaintiff's 15-day Rebuttal Period Ends :	09/24/2012

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *Plaintiff and Defendant are engaged in settlement discussions that are on the verge of closing in a short time frame. We are quite certain we will reach a settlement within 60 days. Therefore, we have requested the same. Thank you.*

NEXUS FOODS, INC has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

NEXUS FOODS, INC 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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06/17/2011