

ESTTA Tracking number: **ESTTA371806**

Filing date: **10/05/2010**

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 10/06/2010. NEXUS FOODS, INC requests that such date be extended for 30 days, or until 11/05/2010, and that all subsequent dates be reset accordingly.

Time to Answer :	11/05/2010
Deadline for Discovery Conference :	12/05/2010
Discovery Opens :	12/05/2010
Initial Disclosures Due :	01/04/2011
Expert Disclosure Due :	05/04/2011
Discovery Closes :	06/03/2011
Plaintiff's Pretrial Disclosures :	07/18/2011
Plaintiff's 30-day Trial Period Ends :	09/01/2011
Defendant's Pretrial Disclosures :	09/16/2011
Defendant's 30-day Trial Period Ends :	10/31/2011
Plaintiff's Rebuttal Disclosures :	11/15/2011
Plaintiff's 15-day Rebuttal Period Ends :	12/15/2011

The grounds for this request are as follows:

- *Applicant Nexus Foods, Inc (#Applicant#) hereby requests an additional thirty (30) days to file an Answer in the present Opposition proceeding. Pursuant to the Extension of Time, dated September 11, 2010, and Patent and Trademark Rule 1.7, the deadline to file an Answer in this Opposition proceeding is October 6, 2010. Applicant hereby requests a thirty (30) day extension, thereby changing the deadline to October 6, 2010. Counsel for Opposer has consented to the thirty (30) day extension. Good cause exists for this extension. Fed. R. Civ. P. 6(b). Applicant needs the additional time, on account of other deadlines, such that a settlement agreement may be fully discussed with Opposer.*

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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