

ESTTA Tracking number: **ESTTA772716**

Filing date: **09/24/2016**

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

|                           |  |
|---------------------------|--|
| Proceeding                | 91196299   |
| Party                     | Defendant<br>Digitalmojo, Inc.   |
| Correspondence<br>Address | THOMAS W COOK<br>3030 BRIDGEWAY, SUITE 425 430<br>SAUSALITO, CA 94965 2810<br>UNITED STATES<br>tom@thomascooklaw.com |
| Submission                | Stipulated/Consent Motion to Extend  |
| Filer's Name              | Thomas W. Cook   |
| Filer's e-mail            | tom@thomascooklaw.com  |
| Signature                 | /Thomas W. Cook/   |
| Date                      | 09/24/2016   |
| Attachments               | 2016 09 24 - Stipulated Motion for Extension of Trial Dates.pdf(90493 bytes )  |

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Attorney for DigitalMojo, Inc.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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|---|---|---|
| <b>Opposition No. 91196299 (Parent)</b> | ) |   |
|   | ) |   |
| CONNECT PUBLIC RELATIONS, INC.          | ) |   |
| Opposer,                                | ) |   |
|   | ) |   |
| v.                                      | ) |   |
|   | ) |   |
| DIGITALMOJO, INC., Applicant            | ) | <b>STIPULATED MOTION FOR<br/>EXTENSION OF TRIAL DATES</b> |
|   | ) |   |
| <b>Cancellation No. 92054395</b>        | ) |   |
| <b>Cancellation No. 92054427</b>        | ) |   |
|   | ) |   |
| DIGITALMOJO, INC.,                      | ) |   |
| Petitioner,                             | ) |   |
|   | ) |   |
| v.                                      | ) |   |
|   | ) |   |
| CONNECT PUBLIC RELATIONS, INC.          | ) |   |
| Respondent.                             | ) |   |

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DigitalMojo, Inc., Applicant in Opposition No. 91196299, and Petitioner in cancellation numbers Cancellation No. 92054395 and Cancellation No. 92054427, on behalf of the parties to these consolidated opposition and cancellation proceedings, requests the trial dates of these proceedings be reset to provide an additional sixty (60) days, according to the schedule set forth below. Applicant and Opposer Connect Public Relations, Inc. have agreed to such 60-day extension on September 23, 2016, in order to complete discovery, in particular discuss the acceptability of responses, and possible further responses, and this is the grounds for this request.

While this is a “stipulated motion,” the non-standard trial schedule for these consolidated actions does not fit within the options of the Board’s online filing facility for such motions, so Applicant has employed this method to advise the Board of the agreement of these parties, and request its approval.

Digitalmojo, Inc. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein. Digitalmojo, Inc. has provided below an email address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board. These email addresses are:

[tom@thomascooklaw.com](mailto:tom@thomascooklaw.com)

[Kcannon@chcpat.com](mailto:Kcannon@chcpat.com)

[rgillan@chcpat.com](mailto:rgillan@chcpat.com)

Applicant and Opposer request the Board approve the following trial schedule: Plaintiff’s 30-day Trial Period was currently set to close on 08/15/2016 under the current trial schedule, which schedule was requested by Applicant on June 16, 2016, and approved by the Board on July 26, 2016. Digitalmojo, Inc. requests that such date be extended for 60 days, or until 10/14/2016, and that all subsequent dates be reset accordingly, according to the following schedule:

Time to Answer: CLOSED  
Deadline for Discovery Conference: CLOSED  
Discovery Opens: CLOSED  
Initial Disclosures Due: CLOSED  
Expert Disclosure Due: CLOSED  
Discovery Closes: CLOSED  
Plaintiff's Pretrial Disclosures: CLOSED  
Plaintiff's 30-day Trial Period Ends: 10/14/2016  
Defendant/Counterclaim Plaintiff's Pretrial Disclosures: 10/29/2016  
30-day Trial Period for Defendant and Plaintiff in the Counterclaim: 12/14/2016  
Counterclaim Defendant's and Plaintiff Rebuttal Disclosures Due: 12/29/2016  
30-day Trial Period for Counterclaim Defendant and Rebuttal Testimony as Plaintiff ends: 2/11/2017  
Counterclaim Plaintiff's Rebuttal Disclosures Due: 2/26/2017  
15-day Rebuttal Period for Counterclaim Plaintiff Ends: 03/27/2017  
Plaintiff's Trial Brief Due: 05/27/2017  
Defendant 's Trial Brief and Plaintiff in the Counterclaim Due: 06/26/2017  
Brief for Defendant in the Counterclaim and Reply Brief, if any, for Plaintiff Due: 07/26/2017  
Reply Brief, if any, for Plaintiff in the Counterclaim: 08/10/2017

Respectfully submitted,



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Attorney for DigitalMojo, Inc.

Date: September 24, 2016

#### CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this document is today being submitted via electronic filing utilizing the ESTTA system on:



Thomas W. Cook

Date: September 24, 2016

#### CERTIFICATE OF SERVICE

This is to certify that on this date, a true copy of the foregoing

#### STIPULATED MOTION FOR EXTENSION OF TRIAL DATES

is being served, by U.S. mail, postage prepaid, addressed to the following:

Karl R. Cannon  
CLAYTON, HOWARTH & CANNON, P.C.  
P.O. Box 1909  
Sandy, Utah 84091-1909



Thomas W. Cook

Date: September 24, 2016