

ESTTA Tracking number: **ESTTA466322**

Filing date: **04/10/2012**

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

Proceeding	91196767
Party	Plaintiff Gruma Corporation
Correspondence Address	JOHN M CONE HITCHCOCK EVERT LLP PO BOX 131709 DALLAS, TX 75313 1709 UNITED STATES jccone@hitchcockevert.com, docket@hitchcockevert.com, ksimpson@hitchcockevert.com
Submission	Stipulated/Consent Motion to Reopen
Filer's Name	John M. Cone
Filer's e-mail	jccone@hitchcockevert.com, docket@hitchcockevert.com, ksimpson@hitchcockevert.com
Signature	/s/ John M. Cone
Date	04/10/2012
Attachments	120410 Motion to Extend Deadlines.pdf (2 pages)(8811 bytes)

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

In the Matter of Application Serial No. 77/734,156 LA MORENITA

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GRUMA CORPORATION,	§	
	§	
Opposer,	§	
	§	
v.	§	Opposition No. 91196767
	§	
OLE MEXICAN FOODS, INC.,	§	
	§	
Applicant.	§	
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TO THE HONORABLE TRADEMARK TRIAL AND APPEAL BOARD

**STIPULATED/CONSENT MOTION TO REOPEN AND
EXTEND DISCOVERY AND TRIAL DATES**

Pursuant to 37 C.F.R. § 2.120 and § 2.121 and TBMP § 509.01, Applicant and Opposer herein, by and through their respective attorneys, hereby stipulate and consent that the expert disclosure period be reopened and that the expert disclosure, discovery and trial dates be reset and extended for thirty (30) days, as follows:

Expert Disclosure Due:	April 30, 2012
Discovery Closes:	May 30, 2012
Plaintiff's Pretrial Disclosures:	July 14, 2012
Plaintiff's 30-Day Trial Period Ends:	August 28, 2012
Defendant's Pretrial Disclosures:	October 12, 2012
Defendant's 30-Day Trial Period Ends:	November 26, 2012
Plaintiff's Rebuttal Disclosures:	December 11, 2012
Plaintiff's 15-Day Rebuttal Period Ends:	January 10, 2013

The parties are actively engaged in negotiations for the settlement of this matter and request the foregoing extension to allow the parties to continue their settlement efforts. The undersigned has secured the express consent of

Opposer's counsel to this motion for the extension of the dates above. This motion is not made for the purpose of delay or procrastination.

Dated: April 10, 2012

Respectfully submitted,

/s/ John M. Cone
John M. Cone
Hitchcock Evert LLP
PO Box 131709
Dallas, Texas 75313-1709
(214) 880-3606 Telephone
(214) 953-1121 Facsimile
jccone@hitchcockevert.com

ATTORNEY FOR OPPOSER
GRUMA CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of April 2012, a true and correct copy of the foregoing document was served via U.S. First Class Mail, postage prepaid on:

Paul S. Owens
Paul Owens & Associates
PO Box 15310
Atlanta GA 30333-0310

/s/ John M. Cone
John M. Cone