

ESTTA Tracking number: **ESTTA621917**

Filing date: **08/18/2014**

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

Proceeding.	91199169
Applicant	Plaintiff Boston Red Sox Baseball Club Limited Partnership
Other Party	Defendant Rensselaer Polytechnic Institute
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	Yes

Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Close of Discovery is currently set to close on 09/18/2014. Boston Red Sox Baseball Club Limited Partnership requests that such date be extended for 90 days, or until 12/17/2014, and that all subsequent dates be reset accordingly.

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	CLOSED
Initial Disclosures Due :	CLOSED
Expert Disclosure Due :	11/17/2014
Discovery Closes :	12/17/2014
Plaintiff's Pretrial Disclosures :	01/31/2015
Plaintiff's 30-day Trial Period Ends :	03/17/2015
Defendant's Pretrial Disclosures :	04/01/2015
Defendant's 30-day Trial Period Ends :	05/16/2015
Plaintiff's Rebuttal Disclosures :	05/31/2015
Plaintiff's 15-day Rebuttal Period Ends :	06/30/2015

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Parties are engaged in settlement discussions*
- *Progress has been made towards settlement of this matter. Since the institution of the proceedings, the parties have had verbal and written settlement negotiations, as well as prepared and exchanged multiple drafts of a settlement agreement. Specifically, since the parties last sought an extension, Opposer's in-house counsel completed its review of the revised agreement. Thereafter, the parties, along with the parties' counsel, held a settlement conference to discuss the open terms of the agreement. Thereafter, Opposer's in-house counsel revised the agreement based on the terms discussed during the settlement conference, and sent the revised agreement to Opposer's outside counsel. Opposer's outside counsel reviewed and updated the agreement, and sent the agreement to Applicant's counsel for consideration. Additionally, the parties' counsel conferred regarding this matter on June 5th, June 20th, June 23rd, June*

24th, July 16th, August 6th, and August 7th. The additional time is requested to allow Applicant's counsel time to consider the revised agreement, and for the parties to work out any open issues concerning the use and registration of the parties' respective marks. The parties note that they are jointly committed to reaching an amicable resolution, and they believe they will timely resolve any remaining issues. Additionally, the parties note that they are engaged in the discovery process. Applicant served its written requests on Opposer. Opposer needs additional time to respond to discovery, as well as to complete discovery. The parties therefore request the extension in order to allow time to complete the discovery process and to work towards settlement.

Boston Red Sox Baseball Club Limited Partnership has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Boston Red Sox Baseball Club Limited Partnership 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,

/Aryn M. Emert/

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