

ESTTA Tracking number: **ESTTA582726**

Filing date: **01/20/2014**

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

Proceeding	91200327
Party	Plaintiff James Murta
Correspondence Address	KURT LEYENDECKER LEYENDECKER & LEMIRE LLC 5460 S QUEBEC STREET, SUITE 330 GREENWOOD VILLAGE, CO 80111 UNITED STATES kurt@coloradoiplaw.com, trademark@coloradoiplaw.com
Submission	Motion to Extend
Filer's Name	Kurt Leyendecker
Filer's e-mail	kurt@coloradoiplaw.com
Signature	/Kurt P Leyendecker/
Date	01/20/2014
Attachments	Motion_to_Extend_Dsicoverly01202014.pdf(26004 bytes)

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

In the Matter of Trademark Application No. 77886135

For the Mark: DERBY OF SAN FRANCISCO

James Murta)	
)	
Plaintiff,)	
)	
v.)	OPPOSITION
)	PROCEEDING No. <u>91200327</u>
Victor Suarez)	
)	
Defendant.)	
)	

**PETITIONER’S MOTION TO EXTEND DISCOVERY AND ASSOCIATED
DATES WITH CONSENT**

Discovery is currently set to close on 01/20/2014. Jim Murta request this date be extended until March 15, 2014 and that all subsequent dates be reset accordingly as follows:

Discovery Closes:	03/15/2014
Plaintiff’s Pretrial Disclosures Due	04/01/2014
Plaintiff’s 30-day Trial Period Ends	05/16/2014
Defendant’s Pretrial Disclosures Due	05/31/2014
Defendant’s 30-day Trial Period Ends	07/15/2014
Plaintiff’s Rebuttal Disclosures Due	07/30/2014
Plaintiff’s 15-day Rebuttal Period Ends	08/29/2014

As grounds, the Defendant was ordered to produce documents by 02/12/2014 pursuant to a Board order granting Plaintiff's Motion to Compel in part. The extended discovery close permits the Plaintiff the ability to conduct follow on discovery as necessary after review of the production.

Jim Murta has secured the express consent from all other parties concerning this extension and resetting of dates as provided herein.

By /s/ Kurt P Leyendecker

Date 01/20/14

Kurt P. Leyendecker

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on January 20, 2014, a true and correct copy of the foregoing Motion To Compel and associated Exhibits was served on Marina A. Lewis by electronic mail and by mailing said copy via U.S. Mail to:

MARINA A LEWIS

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/s/ Kurt P Leyendecker
Kurt P Leyendecker