

ESTTA Tracking number: **ESTTA579919**

Filing date: **01/03/2014**

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

Proceeding.	91200484
Applicant	Plaintiff Athletics Investment Group LLC DBA The Oakland Athletics Baseball Company
Other Party	Defendant Gartner Studios, Inc.
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 Plaintiff's Trial Period is currently set to close on 03/16/2014. Athletics Investment Group LLC DBA The Oakland Athletics Baseball Company requests that such date be extended for 90 days, or until 06/14/2014, 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 :	CLOSED
Discovery Closes :	CLOSED
Plaintiff's Pretrial Disclosures :	04/30/2014
Plaintiff's 30-day Trial Period Ends :	06/14/2014
Defendant's Pretrial Disclosures :	06/29/2014
Defendant's 30-day Trial Period Ends :	08/13/2014
Plaintiff's Rebuttal Disclosures :	08/28/2014
Plaintiff's 15-day Rebuttal Period Ends :	09/27/2014

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Parties are engaged in settlement discussions*
- *The parties are engaged in the discovery process. Opposer served written discovery requests upon Applicant on December 16, 2013. The additional time is requested to allow Applicant to respond to such requests, which takes time. Accordingly, in addition to the above deadlines, the parties note that Applicant's responses to discovery should be extended 60 days, to March 21, 2014. The parties further note that progress has been made towards settlement. Since the last extension, Opposer and its in-house counsel circulated the draft agreement and engaged in internal discussions on multiple occasions in order to address the objectives of its client and the scope of the agreement, and, as a result, the initial draft agreement went through various revisions. Opposer's inside counsel subsequently conferred with*

*Opposer#s outside counsel on several occasions to discuss additional issues concerning the use and registration of the proposed registration. In accordance with instruction provided by Opposer#s inside counsel, Opposer#s outside counsel revised the draft agreement and forwarded same to Applicant#s outside counsel for review on January 3, 2014. The additional time requested will allow Applicant and Applicant#s outside counsel to complete review of the agreement, and for the parties to continue to work towards final settlement of this matter. If the agreement is accepted it would obviate the need to continue with the opposition.*

Athletics Investment Group LLC DBA The Oakland Athletics Baseball Company has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Athletics Investment Group LLC DBA The Oakland Athletics Baseball Company 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,

/Don M. Obert/

Don M. Obert

mlk@cll.com, dmo@cll.com, trademark@cll.com, jmn@cll.com

jmweyrauch@dbclaw.com, narhos@dbclaw.com

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