

ESTTA Tracking number: **ESTTA567618**

Filing date: **10/28/2013**

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

Proceeding	91200834
Party	Plaintiff Chicago Cubs Baseball Club, LLC
Correspondence Address	MARY L KEVLIN COWAN LIEBOWITZ & LATMAN PC 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036 UNITED STATES sis@cll.com, trademark@cll.com, jmn@cll.com
Submission	Motion to Extend
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Signature	/Don M Obert/
Date	10/28/2013
Attachments	C and Car Design (USAA); Opp No. 91200834; Mot Ext 10282013.pdf(188524 bytes)

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

In re Application Serial No. 85/037,368
Filed: May 13, 2010
For Mark: C and Design
Published in the Official Gazette: January 25, 2011

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CHICAGO CUBS BASEBALL CLUB, LLC,		:	
	Opposer,	:	
v.		:	Opposition No.91200834
		:	
UNITED SERVICES AUTOMOBILE ASSOCIATION,		:	
	Applicant.	:	
		:	
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**MOTION ON CONSENT TO EXTEND INITIAL DISCLOSURES DEADLINE
AND DISCOVERY AND TRIAL DATES**

Opposer, by and through counsel, hereby moves for an order to extend the initial disclosures deadline and discovery and trial dates in the above-captioned proceeding for a period of thirty (30) days, as set forth below. The parties have held their initial discovery conference. Applicant’s counsel consented to this motion, which is requested to allow the parties to continue to engage in settlement discussions.

With the consent of Applicant’s outside counsel, on August 14, 2013, Opposer’s outside counsel filed with the Board a Motion On Consent To Consolidate Opposition Proceedings And To Conform Opposition Schedules (“Consolidation Motion”) covering this proceeding, opposition number 91200834, and a parallel proceeding identified by opposition number

91203117. As part of that Consolidation Motion, the parties sought to conform both proceedings by adopting the discovery and trial dates set forth in opposition number 91203117. As the Board has not issued a decision on the Consolidation Motion, the parties now move to extend the initial disclosures deadline and discovery and trial dates in the captioned proceeding for an additional 30-days from the discovery and trial dates set forth in the Consolidation Motion. The parties seek this additional time in order to: (1) permit the Board sufficient opportunity to rule on the Consolidation Motion, thereby potentially negating the need for the parties to prepare duplicative filings; (2) provide the parties with additional time to serve their initial disclosures; and (3) provide the parties with additional opportunity to continue their work towards a universal settlement of both related proceedings. The requested 30-day extensions are as follows:

Initial Disclosures Due:	12/01/13
Expert Disclosures Due:	03/31/14
Discovery Closes:	04/30/14
Plaintiff's Pretrial Disclosures:	06/14/14
Plaintiff's 30-day Trial Period Ends:	07/29/14
Defendant's Pretrial Disclosures:	08/13/14
Defendant's 30-day Trial Period Ends:	09/27/14
Plaintiff's Rebuttal Disclosures:	10/12/14
Plaintiff's 15-day Rebuttal Period Ends:	11/11/14

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused a copy of the foregoing Motion on Consent to Extend Initial Disclosures Deadline And Discovery And Trial Dates to be sent via first class, postage paid mail to Applicant's correspondent of record for the opposition, Wendy C. Larson, Esq., at Pirkey Barber PLLC, 600 Congress Avenue, Suite 2120, Austin, Texas 78701, on October 28, 2013.

/Don M. Obert/

Don M. Obert