

ESTTA Tracking number: **ESTTA590124**

Filing date: **02/28/2014**

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

Proceeding	91200893
Party	Plaintiff Repify, Inc.
Correspondence Address	B ANNA MCCOY ALLEMAN HALL MCCOY ET AL 806 SW BROADWAY , STE 600 PORTLAND, OR 97205 UNITED STATES anna@ahmrt.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	B. Anna McCoy
Filer's e-mail	mccoy@ahmrt.com, saing@ahmrt.com, penfield@ahmrt.com, harnett@ahmrt.com
Signature	/B. Anna McCoy/
Date	02/28/2014
Attachments	Joint Motion to Extend Discovery and Trial Periods for 30 days (for filing) 2-28-2014.pdf(29288 bytes )

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

Repify, Inc., )  
)  
Opposer/Counterclaim-Respondent, )  
)  
v. )  
)  
Reppify LLC )  
)  
Applicant/Counterclaim-Petitioner. )  
\_\_\_\_\_ )

Opposition No. 91200893

**CONSENTED MOTION TO EXTEND  
DISCOVERY AND TRIAL PERIODS  
FOR 30 DAYS**

Commissioner for Trademarks  
Trademark Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1451  
Alexandria, VA 22313-1451

**CONSENTED MOTION TO EXTEND DISCOVERY AND TRIAL PERIODS**  
**FOR 30 DAYS**

In the opposition no. 91200893, Opposer, Repify, Inc., hereby submits this consented motion to extend discovery and trial periods for 30-days. The Applicant, Reppify LLC, has consented to the 30-day extension of the discovery and trial periods. The consented motion is being filed based on the extraordinary circumstances in settling this matter between two parties where there are a number of complex issues which must be addressed in an agreement. The parties are very close to final completion of a settlement agreement and request an additional 30-days to enable finalization and execution of the same.

Specifically, pursuant to the Order dated January 28, 2014, the Expert Disclosures are due on March 2, 2014. The parties jointly request that the discovery and trial periods be extended

for 30-days and all dates in the opposition extended accordingly. The new (proposed) dates are set out below.

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	CLOSED
Initial Disclosures Due :	CLOSED
Expert Disclosures Due :	04/01/2014
Discovery Period to Close :	05/01/2014
Plaintiff Pretrial Disclosures :	06/15/2014
Plaintiff's 30-day Trial Period Ends :	07/30/2014
Defendant's Pretrial Disclosures :	08/14/2014
Defendant's 30-day Trial Period ends :	09/28/2014
Plaintiff's Rebuttal Disclosures :	10/13/2014
Plaintiff's 15-day Rebuttal Period Ends :	11/12/2014

The parties request the extension based on continued engagement in finalizing the terms of the written settlement agreement. Below is a detailed report regarding the status of the settlement negotiations.

The parties have actively been working with their respective clients to exchange a finalized settlement agreement for execution. With the final exchange, the parties are very close to finalizing the agreement for execution. During this last extension, the parties were able to come to agreement on the primary terms and discussions have been directed to the proper parties to execute the agreement. It is expected that execution of the agreement can occur in the next 30-day period.

The additional extension is requested to enable the parties' time to conduct a final review of the terms of the written settlement agreement before execution, as well as obtain the necessary

signatures. As the settlement agreement is in its close-to-finalized form, both parties are optimistic about the settlement of this matter in this next extension period.

The parties are not requesting an additional suspension to improperly delay the proceedings. Instead, the suspension request is being made so that the parties can conduct a final review of the settlement. If settlement is finalized, it will avoid the need for the U.S. opposition proceeding which will save the Board time and effort.

Accordingly, Opposer, Repify, Inc., and Applicant, Reppify LLC, respectfully jointly submit and sincerely request that the Board allow the discovery and trial periods to be extended for an additional thirty (30) days and to extend the dates as listed above.

Counsel for Opposer, Repify, Inc., further provides the certificate of service and Counsel for Reppify LLC has agreed to service of the Consent Motion by U.S. first class mail.

Dated: February 28, 2014

Respectfully submitted,

ALLEMAN HALL MCCOY

RUSSELL AND TUTTLE LLP

A handwritten signature in cursive script, appearing to read "B. Anna McCoy".

---

B. Anna McCoy  
806 S.W. Broadway, Suite 600  
Portland, Oregon 97205  
Telephone: (503) 459-4141  
Facsimile: (503) 459-4142

*Attorney for Opposer*

Opposition No. 91200893

**CERTIFICATE OF SERVICE**

I, B. Anna McCoy, hereby certify that on February 28, 2014, a true and correct copy of the foregoing Consented Motion To Extend Discovery And Trial Periods For 30 Days was served via U.S. first class mail (by agreement of counsel) upon the following:

Ameet S. Matharu at:  
The Chugh Firm APC  
4800 Great America Pkwy, Suite 310  
Santa Clara, CA 95054  
UNITED STATES



---

B. Anna McCoy