

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

REDBOX AUTOMATED RETAIL, LLC

Petitioner/Plaintiff,

v.

Stanley Lee Barnes

Respondent/Defendant.

Opposition No. 91201218

In re: Serial No. 85135579

**CONSENTED MOTION TO EXTEND
DISCOVERY AND TO AMEND SCHEDULING ORDER**

Petitioner/Plaintiff, Redbox Automated Retail, LLC (“Redbox”), by its attorneys, hereby moves for the entry of an order extending the deadlines in the current opposition and amend the scheduling order that was entered on August 17, 2011. Respondent/Defendant, Stanley Lee Barnes is in agreement with the proposed extension and respective schedule changes. In support of this Motion, Redbox states as follows:

1. Redbox initiated this opposition proceeding against Stanley Lee Barnes on August 17, 2011 requesting that Application No. 85135579 be withdrawn.
2. On August 17, 2011, The Trademark Trial and Appeal Board (“the Board”) scheduled the following:

Time to Answer	9/26/2011
Deadline for Discovery Conference	10/26/2011
Discovery Opens	10/26/2011
Initial Disclosures Due	11/25/2011
Expert Disclosures Due	3/24/2012
Discovery Closes	4/23/2012



10-12-2011

Plaintiff's Pretrial Disclosures	6/7/2012
Plaintiff's 30-day Trial Period Ends	7/22/2012
Defendant's Pretrial Disclosures	8/6/2012
Defendant's 30-day Trial Period Ends	9/20/2012
Plaintiff's Rebuttal Disclosures	10/5/2012
Plaintiff's 15-day Rebuttal Period Ends	11/4/2012

3. Plaintiff/Petitioner and Defendant/Respondent are presently in continued settlement negotiations.

WHEREFORE, Petitioner/Plaintiff requests that the Board grant an extension to Defendant/Respondent's deadlines in order to amicably finalize the settlement agreement and amend the Scheduling Order of August 17, 2011 as follows:

Time to Answer	11/26/2011
Deadline for Discovery Conference	12/26/2011
Discovery Opens	12/26/2011
Initial Disclosures Due	01/25/2011
Expert Disclosures Due	5/24/2012
Discovery Closes	6/23/2012
Plaintiff's Pretrial Disclosures	8/7/2012
Plaintiff's 30-day Trial Period Ends	9/22/2012
Defendant's Pretrial Disclosures	10/6/2012
Defendant's 30-day Trial Period Ends	11/20/2012
Plaintiff's Rebuttal Disclosures	12/5/2012
Plaintiff's 15-day Rebuttal Period Ends	1/4/2013

Petitioner/Plaintiff respectfully requests entry of an Order reflecting the above-identified agreed schedule.

Respectfully submitted,

Dated: October 12, 2011

REDBOX AUTOMATED RETAIL, LLC

By: 
James P. Muraff

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Attorneys for Petitioner/Plaintiff

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on October 12, 2011, a true and correct copy of **CONSENTED MOTION TO EXTEND DISCOVERY AND TO AMEND SCHEDULING ORDER** was served upon the following via e-mail and U.S. First Class Mail, proper postage prepaid:

BARNES, STANLEY LEE
3127 SAINT VINCENT AVE
SAINT LOUIS, MO 63104
reachyou2007@yahoo.com


James P. Muraff

NGEDOCs: 1843513.1

CERTIFICATE OF MAILING

U.S. Express Mail Number: EM 276543081

Date of Deposit: October 12, 2011

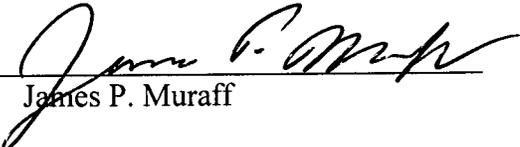
Opposition No. 91201218

I hereby certify that the enclosed Consented Motion to Extend Discovery and to Amend Scheduling Order, relating to the above referenced matter has been deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Commissioner for Trademarks
Box TTAB – No Fee
2900 Crystal Drive
Arlington, VA 22202-3513

October 12, 2011

By: _____


James P. Muraff