

ESTTA Tracking number: **ESTTA536740**

Filing date: **05/08/2013**

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

Proceeding	92054034
Party	Defendant Grand Canyon Ranch
Correspondence Address	THOMAS I ROZSA ROZSA LAW GROUP LC 18757 BURBANK BLVD, SUITE 220 TARZANA, CA 91356 UNITED STATES amy@rozsalaw.com
Submission	Motion to Extend
Filer's Name	Thomas I. Rozsa
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Signature	/Thomas I. Rozsa/
Date	05/08/2013
Attachments	Motion to Extend.pdf(1113318 bytes)

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

CR License, LLC)	
an Arizona limited liability company;)	
)	In the matter of
Petitioner,)	Cancellation No. 92054034
)	
vs.)	Marks: GRAND CANYON RANCH
)	GRAND CANYON RANCH
Grand Canyon Ranch, LLC)	AT SPIRIT MOUNTAIN
a Nevada limited liability company;)	
)	Reg. No. 3,927,500
)	App. No. 77/905,088
Respondent.)	
_____)	

MOTION ON CONSENT TO EXTEND

THE CURRENT DISCOVERY AND TESTIMONY PERIODS

Respondent, Grand Canyon Ranch, LLC, with the consent of Petitioner, CR License, LLC, hereby moves the Trademark Trial and Appeal Board to extend the time periods set for discovery and testimony for ninety (90) days and to reset the new deadlines as follows:

Discovery Closes:	08/08/13
Plaintiff's Pretrial Disclosures:	09/21/13
Plaintiff's 30-day Trial Period Ends:	11/06/13
Defendant's Pretrial Disclosures:	11/21/13
Defendant's 30-day Trial Period Ends:	01/05/14
Plaintiff's Rebuttal Disclosures	01/10/14
Plaintiff's 15-day Rebuttal Period Ends:	02/19/14

The parties have continuously been discussing settlement but in the event that the parties are unable to settle, the parties have agreed that depositions will take place. Petitioner offered a

settlement to Respondent on March 7, 2013 which is still under consideration. The 30(b)(6) witness for Respondent, Grand Canyon Ranch, LLC is Nigel Turner. Petitioner noticed the deposition of Nigel Turner for January 30, 2013 and due to his unavailability as submitted in Respondent's previous Motion the parties had agreed to have the deposition of Nigel Turner take place on April 8, 2013, with a deposition of the Petitioner's 30(b)(6) witness to be taken the next day at the same location. At the times these depositions were set it was unknown to the attorneys for the Petitioner and the Respondent that Nigel Turner was suffering from a very critical illness for which he has been hospitalized and will continue to be hospitalized for close to a month and a half. Therefore, Mr. Turner was not available to discuss or conduct further settlement negotiations or his scheduled deposition.

Attached to this petition is a letter from Dr. Ivan C. Namihas, Jr., M.D. from Loma Linda University Medical Center explaining that Mr. Turner is currently undergoing daily treatment for a serious medical condition. The daily treatment will continue until approximately May 8, 2013. He will be unable to attend a deposition until after the treatments are completed. After undergoing treatment for a month and a half, it is unlikely that Mr. Turner would be in any condition to give a deposition or to negotiate settlements. The depositions have now been tentatively scheduled for Nigel Turner to provide his deposition as a 30(b)(6) witness of Respondent on Monday, July 15, 2013. The deposition of Petitioner's 30(b)(6) witness will be taken the next day on July 16, 2013 with both depositions to take place at the offices of Petitioner's attorney in Phoenix, Arizona. It is also agreed that the principal of the Petitioner and Nigel Turner, the principal of the Respondent, will attempt one last time to settle the matter which settlement negotiations are anticipated to take place in mid-June when Mr. Turner is healthy enough to be able to conduct such settlement negotiations.

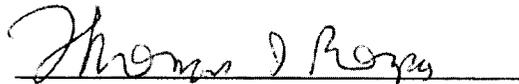
Therefore, it is abundantly clear that both Petitioner and Respondent have through their attorneys exercised diligence in attempting to conclude this petition for cancellation but circumstances beyond the control of the parties have necessitated this delay.

Therefore, this request for an extension of time is made for good cause due to the ill health of Respondent's principal 30(b)(6) witness and principal owner. Therefore, it is

respectfully requested that the Trademark Trial and Appeal Board grant the extensions of time herein for the reasons set forth above.

Dated this 8 day of May, 2013.

ROZSA LAW GROUP LC

A handwritten signature in cursive script, reading "Thomas I. Rozsa", is written over a horizontal line.

Thomas I. Rozsa
18757 Burbank Boulevard, Suite 220
Tarzana, California 91356-3346
Telephone (818) 783-0990
Facsimile (818) 783-0992

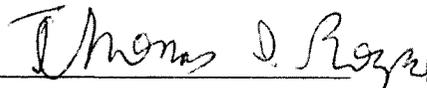
Attorney for Respondent
GRAND CANYON RANCH, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION ON CONSENT TO EXTEND THE CURRENT DISCOVERY AND TESTIMONY PERIODS, was served by First-Class Mail upon the following:

Jennifer A. Van Kirk, Esq.
Flavia Campbell, Esq.
Christine Klenk, Esq.
LEWIS and ROCA LP
40 North Central Avenue
Phoenix, AZ 85004-4429

Copy sent this 8 day of May, 2013



Thomas I. Rozsa
Attorney for Respondent
GRAND CANYON RANCH, LLC



LOMA LINDA UNIVERSITY

MEDICAL CENTER

04-04-13

To Whom It May Concern:

Re: Nigel Turner

Please be advised that Mr. Turner is currently undergoing daily treatments for a serious medical condition. These daily treatment will continue until approximately May 08, 2013. He will be unable to attend a deposition until after these treatments are completed.

If you have any questions feel free to contact me.

Sincerely,

Ivan C. Namilhas Jr, MD

A Seventh-day Adventist Institution

DEPARTMENT OF RADIATION MEDICINE | 11234 Anderson Street, PO Box 2000, Loma Linda, California 92354
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