

ESTTA Tracking number: **ESTTA539794**

Filing date: **05/24/2013**

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

Proceeding.	91203192
Applicant	Plaintiff Beats Electronics, LLC
Other Party	Defendant Merkury Innovations, LLC
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 Discovery is currently set to close on 05/26/2013. Beats Electronics, LLC requests that such date be extended for 90 days, or until 08/24/2013, 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 :	07/25/2013
Discovery Closes :	08/24/2013
Plaintiff's Pretrial Disclosures :	10/08/2013
Plaintiff's 30-day Trial Period Ends :	11/22/2013
Defendant/Counterclaim Plaintiff's Pretrial Disclosures :	12/07/2013
30-day Trial Period for Defendant and Plaintiff in the Counterclaim :	01/21/2014
Counterclaim Defendant's and Plaintiff Rebuttal Disclosures Due :	02/05/2014
30-day Trial Period for Counterclaim Defendant and Rebuttal Testimony as Plaintiff ends :	03/22/2014
Counterclaim Plaintiff's Rebuttal Disclosures Due :	04/06/2014
15-day Rebuttal Period for Counterclaim Plaintiff Ends :	05/06/2014
Plaintiff's Trial Brief Due :	07/05/2014
Defendant 's Trial Brief and Plaintiff in the Counterclaim Due :	08/04/2014
Brief for Defendant in the Counterclaim and Reply Brief, if any, for Plaintiff Due :	09/03/2014
Reply Brief, if any, for Plaintiff in the Counterclaim	09/18/2014

Due :

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*

Beats Electronics, LLC has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Beats Electronics, LLC 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 Facsimile or email (by agreement only) on this date.

Respectfully submitted,

/Katherine Dennis Nye/

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