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

Proceeding	91203192
Party	Plaintiff Beats Electronics, LLC
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Submission	Stipulated/Consent Motion to Extend
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Date	04/07/2014
Attachments	Consented_motion_to_extend_expert_period.pdf(44985 bytes)

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

BEATS ELECTRONICS, LLC

Opposer,

v.

MERKURY INNOVATIONS, LLC

Applicant.

Opposition No. 91203192

CONSENTED MOTION TO EXTEND SUSPENSION FOR EXPERT DISCOVERY

Pursuant to the Board's March 4, 2014 Order, Opposer Beats Electronics, LLC hereby moves the Board for a two day extension of the expert discovery period in this matter. Applicant Merkury Innovations, LLC has indicated through counsel that it consents to this motion. The March 4 Order suspended proceedings for completion of expert discovery and scheduled proceedings to resume on May 1, 2014. The parties have been diligently moving forward with expert discovery, but require two additional days to accommodate the parties' and experts' schedules.

Specifically, on March 26, 2014, Beats provided disclosures to Applicant regarding its rebuttal expert, Dr. Finegan of the University of Southern California. That week, the parties also settled on April 18, 2014 as the date for Merkury's expert, Dr. Schroeder's, deposition. Dr. Finegan will be traveling internationally the week of April 21, and was not able to be deposed then. His teaching and other commitments prevent him from being deposed April 28-30, and the parties have therefore agreed to May 2, 2014 as the date for his deposition.

The Board's March 4 Order indicates "To the extent either party requires an extension of the suspension period to complete the discovery permitted above, such party may file a motion to extend the suspension period." In this case, the parties both require an additional two days to

complete expert discovery. Accordingly, Beats hereby moves the Board for a two day extension of the suspension for expert discovery in this matter, and Merkury consents to this motion.

WHEREFORE, Opposer respectfully requests that the Board extend the case schedule deadlines for this Opposition as set forth below or as otherwise appropriate.

Proceedings Resume	05/04/2014
Discovery Closes	06/04/2014
Plaintiff's Pretrial Disclosures	07/18/2014
Plaintiff's 30-day Trial Period Ends	08/18/2014
Defendant/Counterclaim Plaintiff's Pretrial Disclosures Due	09/04/2014
30-day Trial Period for Defendant/ Counterclaim Plaintiff Ends	10/18/2014
Counterclaim Defendants & Plaintiff's Rebuttal Disclosures Due	11/04/2014
30-day Trial Period for Counterclaim Defendant & Rebuttal as Plaintiff Ends	12/18/2014
Counterclaim Plaintiff's Rebuttal Disclosures Due	01/04/2014
15-day Rebuttal Period for Counterclaim Plaintiff Ends	02/04/2014

Dated: April 7, 2014

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