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

Proceeding	91206176
Party	Plaintiff Societe des Produits Nestle S.A.
Correspondence Address	A JOHN P MANCINI MAYER BROWN LLP 1675 BROADWAY NEW YORK, NY 10019 UNITED STATES IPDocket@mayerbrown.com, jlwhite@mayerbrown.com
Submission	Stipulated/Consent Motion to Extend
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Date	03/05/2013
Attachments	91206176.pdf ( 3 pages )(59548 bytes )

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

SOCIÉTÉ DES PRODUITS NESTLÉ S.A.

Opposer/Petitioner,

v.

BB ENDEAVORS LLC,

Applicant/Respondent.

Opposition No. 91206176

**MOTION FOR EXTENSION OF DISCOVERY PERIOD WITH CONSENT**

Pursuant to 37 CFR § 2.120(a)(2), 37 CFR § 2.121(a) and TBMP § 403.04, Opposer Société des Produits Nestlé (“Opposer”) moves the Board to extend the discovery periods and for resetting of the testimony periods on the ground that the Parties are in the process of negotiating an amicable resolution to this matter. Opposer has secured Applicant’s consent for the extension and resetting of dates requested herein.

The deadlines as per the Board’s February 26, 2013 Order are:

Initial Disclosures Due	3/8/2013
Expert Disclosures Due:	5/24/2013
Discovery Closes:	6/24/2013
Plaintiff’s Pretrial Disclosures:	8/9/2013
Plaintiff’s 30-day Trial Period Ends:	9/27/2013
Defendant’s Pretrial Disclosures:	10/10/2013
Defendant’s 30-day Trial Period Ends:	11/22/2013
Plaintiff’s Rebuttal Disclosures:	12/6/2013
Plaintiff’s 15-day Rebuttal Period Ends:	1/9/2014

The Parties have conducted the requisite discovery conference, and have exchanged proposals in an effort to reach a settlement. Settlement negotiations are ongoing. The Parties

request an extension of this proceeding to enable them to continue to pursue settlement and to avoid needless discovery expense. Accordingly, the Parties request that the Board reset the deadlines as follows:

Initial Disclosures Due	4/8/2013
Expert Disclosures Due:	6/24/2013
Discovery Closes:	7/24/2013
Plaintiff's Pretrial Disclosures:	9/9/2013
Plaintiff's 30-day Trial Period Ends:	10/28/2013
Defendant's Pretrial Disclosures:	11/11/2013
Defendant's 30-day Trial Period Ends:	12/20/2013
Plaintiff's Rebuttal Disclosures:	1/6/2014
Plaintiff's 15-day Rebuttal Period Ends:	2/10/2014

Dated: this 5th day of March, 2013.

MAYER BROWN LLP

By: /s/ A. John P. Mancini  
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Attorneys for Société des Produits Nestlé S.A.

**CERTIFICATE OF SERVICE**

I, A. John P. Mancini, hereby certify that on March 5, 2013, I caused a true and accurate copy of the foregoing document entitled MOTION FOR EXTENSION OF DISCOVERY PERIOD WITH CONSENT to be served upon BB Endeavors by electronic mail and by first-class United States mail, postage prepaid, addressed to the following:

Robert W. Sacoff  
Pattishall McAuliffe Newbury Hilliard & Geraldson LLP  
311 South Wacker Drive, Suite 500  
Chicago, Illinois 60606

/s/ A. John P. Mancini  
A. John P. Mancini