

ESTTA Tracking number: **ESTTA549888**

Filing date: **07/23/2013**

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

Proceeding	91206448
Party	Plaintiff Virbac S.A.
Correspondence Address	VALERIE VERRET BAKER BOTTS LLP 2001 ROSS AVENUE , SUITE 600 DALLAS, TX 75201-2980 UNITED STATES Elizabeth.Stanley@bakerbotts.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Elizabeth K. Stanley
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Signature	/Elizabeth K. Stanley/
Date	07/23/2013
Attachments	ZOETIS Opp - Stip Mtn for Ext of Dscvy & Trial Prds.pdf(87293 bytes)

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

VIRBAC S.A.,	§	Opposition No. 91206448
	§	
Opposer,	§	
	§	
vs.	§	Mark: ZOETIS
	§	(Serial No: 85/505,740)
ZOETIS PRODUCTS LLC,	§	
	§	
Applicant.	§	
	§	Publication Date: July 10, 2012

STIPULATED MOTION TO EXTEND DISCOVERY AND TRIAL PERIODS

Pursuant to and in accordance with Section 509.01(a) of the Trademark Trial and Appeal Board Manual of Procedure, and further to the Board’s Order dated May 28, 2013, Virbac S.A. (“**Opposer**”) and Zoetis Products LLC (“**Applicant**”) (collectively the "**Parties**"), hereby move to extend the discovery and trial periods of the above-captioned Opposition proceeding for ninety (90) days in order to allow for the completion of the Parties’ discovery efforts.

I.

Good cause exists for this Stipulated Motion. This request is not brought for purposes of delay, but to allow time for the Parties to complete the discovery and testimony during the assigned period. Expert disclosures are currently due on July 26, 2013. Discovery is currently scheduled to close on August 25, 2013. Each of the Parties has diligently participated in the discovery process in the service of discovery requests and responses to discovery requests.

On these grounds, the Parties respectfully request that the Board extend the discovery and trial periods for ninety (90) days.

As such, the Parties request that the dates be reset as set forth below:

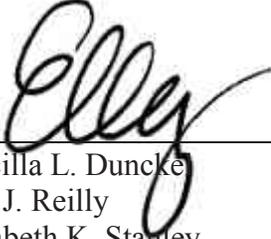
<u>Action</u>	<u>Old Deadline</u>	<u>New Deadline</u>
Time to Answer	CLOSED	CLOSED
Deadline for Discovery Conference	CLOSED	CLOSED
Discovery Opens	CLOSED	CLOSED
Initial Disclosures Due	CLOSED	CLOSED
Expert Disclosures Due	July 26, 2013	October 24, 2013
Discovery Period to Close	August 25, 2013	November 25, 2013
Plaintiff's Pretrial Disclosures Due	October 9, 2013	January 7, 2014
Testimony period for party in position of plaintiff to close (Opening thirty days prior thereto)	November 23, 2013	February 21, 2014
Defendant's Pretrial Disclosures Due	December 8, 2013	March 10, 2014
Testimony period for party in position of defendant to close (Opening thirty days prior thereto)	January 22, 2014	April 22, 2014
Plaintiff's Rebuttal Disclosures Due	February 6, 2014	May 7, 2014
Rebuttal testimony period for party in position of plaintiff to close (Opening fifteen days prior thereto)	March 8, 2014	June 23, 2014

WHEREFORE, the Parties respectfully request that the Board grant the 90-day extension, and re-set the deadlines in accordance with the above.

Respectfully submitted this 23rd day of July, 2013.

BAKER BOTTS L.L.P.

By: _____


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**ATTORNEYS FOR OPPOSER
VIRBAC S.A.**

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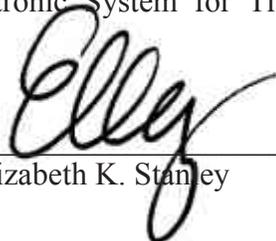
By: _____

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**ATTORNEYS FOR APPLICANT
ZOETIS PRODUCTS LLC**

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that on this 23rd day of July, 2013, that the foregoing *Stipulated Motion to Extend the Discovery and Trial Periods* is being electronically filed with the Trademark Trial and Appeal Board using the Electronic System for Trademark Trials and Appeals (ESTTA).

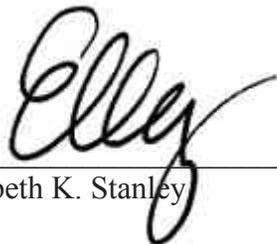


Elizabeth K. Stanley

CERTIFICATE OF SERVICE

I hereby certify on this 23rd day of July, 2013, I served, via email and Certified Mail Return Receipt Requested, a true and correct copy of the foregoing *Stipulated Motion to Extend the Discovery and Trial Periods* to:

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