

ESTTA Tracking number: **ESTTA684617**

Filing date: **07/20/2015**

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

Proceeding.	91207107
Applicant	Plaintiff Boston Red Sox Baseball Club Limited Partnership
Other Party	Defendant Michael Litterio
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 Plaintiff's Trial Period is currently set to close on 08/05/2015. Boston Red Sox Baseball Club Limited Partnership requests that such date be extended for 30 days, or until 09/04/2015, 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 :	CLOSED
Discovery Closes :	CLOSED
Plaintiff's Pretrial Disclosures :	07/21/2015
Plaintiff's 30-day Trial Period Ends :	09/04/2015
Defendant's Pretrial Disclosures :	09/19/2015
Defendant's 30-day Trial Period Ends :	11/03/2015
Plaintiff's Rebuttal Disclosures :	11/18/2015
Plaintiff's 15-day Rebuttal Period Ends :	12/18/2015

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Parties are engaged in settlement discussions*
- *Since the parties last sought a request for an extension, the parties' counsel communicated several times, including on May 8th, May 22nd, June 1st, June 10th, June 19th, June 30th, July 1st, July 16th, and July 17th regarding settlement and trial procedure. In terms of settlement, Opposer has agreed to all of the terms initially proposed by applicant. On July 16th, the parties' counsel held a lengthy telephone conference to discuss the status of settlement, and whether the matter may be finalized. After conferring with their respective clients, the parties' counsel determined that the parties will hold a direct telephone call to discuss whether the parties may finalize the agreement, or whether there are any open terms. The additional time is therefore requested to allow the parties to engage in such a conference and to continue to work towards settlement. In the event that the parties cannot reach an agreement, the additional time is*

*requested for Opposer to complete its testimony. The parties also request that the proceedings be suspended pending disposition of the motion.*

Boston Red Sox Baseball Club Limited Partnership has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Boston Red Sox Baseball Club Limited Partnership 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 First Class Mail on this date.

Respectfully submitted,

/Aryn M. Emert/

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