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

Proceeding	91207789
Party	Defendant Funzio, Inc.
Correspondence Address	Eugene M. Pak Wendel, Rosen, Black & Dean LLP 1111 Broadway, 24th Floor Oakland, CA 94607 UNITED STATES tmdocket@wendel.com
Submission	Stipulated/Consent Motion to Extend
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Date	02/03/2014
Attachments	Consented Extension Request Feb 2014 MODERN WAR.pdf(59673 bytes)

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

ACTIVISION PUBLISHING,)	
)	Opposition No. 91207789
Opposer,)	
)	Serial No. 85424172 (MODERN WAR)
v.)	
)	
FUNZIO, INC.,)	
)	
Applicant.)	
)	

CONSENTED REQUEST TO EXTEND DEADLINES

Applicant Funzio, Inc. ("Applicant") requests a one-month extension of the deadlines currently set in this matter, as set forth below. Opposer Activision Publishing, Inc. through counsel, has consented to this request.

On January 22, 2014, the Board issued an order granting the parties' prior consented extension request, and stated that to obtain a further extension, the parties must set forth facts constituting good cause for such extension. The proceeding was filed on October 31, 2012, about 15 months ago. The parties have been actively engaged in settlement discussions, and have exchanged drafts of a settlement agreement on multiple occasions, including within the last few weeks. The parties have resolved certain issues regarding the application and are negotiating others. The parties hope to finalize settlement shortly.

In light of this, good cause exists for a further 30-day extension of time, and the parties wish to extend the deadlines as set forth below in order to allow time to finalize settlement.

Time to Answer:	03/04/2014
Deadline for Discovery Conference	04/06/2014
Discovery Opens	04/06/2014
Initial Disclosures Due	05/05/2014
Expert Disclosure Due	09/03/2014
Discovery Closes	10/02/2014
Plaintiff's Pretrial Disclosures	10/17/2014
Plaintiff's 30-day Trial Period Ends	1/01/2015
Defendant's Pretrial Disclosures	1/16/2015
Defendant's 30-day Trial Period Ends	2/30/2015
Plaintiff's Rebuttal Disclosures	03/14/2015
Plaintiff's 15-day Rebuttal Period Ends	04/16/2015

Dated: February 3, 2014

Respectfully submitted,

WENDEL ROSEN BLACK & DEAN LLP

By: /Eugene M. Pak/
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Consented Request to Extend Deadlines has been served on Opposer Activision Publishing, Inc. by e-mailing said copy on February 3, 2014 (via consent of Opposer) to Opposer's counsel of record identified below, to the e-mail addresses listed below:

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/Eugene M. Pak/
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