

ESTTA Tracking number: **ESTTA644795**

Filing date: **12/16/2014**

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

Proceeding.	91208483
Applicant	Plaintiff Chicago Cubs Baseball Club, LLC
Other Party	Defendant Reverse The Curse, Inc.
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	No

## Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Defendant's Time to Answer is currently set to close on 12/16/2014. Chicago Cubs Baseball Club, LLC requests that such date be extended for 90 days, or until 03/16/2015, and that all subsequent dates be reset accordingly.

Time to Answer :	03/16/2015
Deadline for Discovery Conference :	04/15/2015
Discovery Opens :	04/15/2015
Initial Disclosures Due :	05/15/2015
Expert Disclosure Due :	09/12/2015
Discovery Closes :	10/12/2015
Plaintiff's Pretrial Disclosures :	11/26/2015
Plaintiff's 30-day Trial Period Ends :	01/10/2016
Defendant's Pretrial Disclosures :	01/25/2016
Defendant's 30-day Trial Period Ends :	03/10/2016
Plaintiff's Rebuttal Disclosures :	03/25/2016
Plaintiff's 15-day Rebuttal Period Ends :	04/24/2016

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *Progress has been made towards settlement of this matter. Since the institution of the proceedings the parties have had verbal and written settlement negotiations, and have drafted, reviewed and proposed term sheets. Specifically, since the parties last sought an extension, Applicant engaged in internal discussions, and Applicant's counsel prepared and sent Opposer's outside counsel a detailed revised settlement proposal. Opposer's outside counsel reviewed the settlement proposal, and Applicant's counsel and Opposer's outside counsel discussed the terms set forth in the proposal. Opposer's outside counsel then relayed Applicant's settlement proposal and the contents of the discussion with Applicant's counsel to Opposer's in-house counsel for consideration. Opposer's in-house counsel reviewed the settlement proposal, and relayed her initial comments to Opposer's outside counsel. The additional time is requested for Opposer to continue its review of the latest settlement proposal, and for the parties to continue to work towards settlement of this matter. The parties believe they will timely resolve this matter. In the event the*

*Board denies this motion, Opposer consents to a sixty (60) day extension of time after such denial for Applicant to file an answer.*

Chicago Cubs Baseball Club, LLC has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Chicago Cubs Baseball Club, LLC 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/

Aryn M. Emert

ame@cfl.com, jmn@cfl.com, trademark@cfl.com

eduardo@fantasticIPconsulting.com, eduardo.drake@gmail.com

12/16/2014