

ESTTA Tracking number: **ESTTA704290**

Filing date: **10/23/2015**

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 10/23/2015. Chicago Cubs Baseball Club, LLC requests that such date be extended for 90 days, or until 01/21/2016, and that all subsequent dates be reset accordingly.

Time to Answer :	01/21/2016
Deadline for Discovery Conference :	02/20/2016
Discovery Opens :	02/20/2016
Initial Disclosures Due :	03/21/2016
Expert Disclosure Due :	07/19/2016
Discovery Closes :	08/18/2016
Plaintiff's Pretrial Disclosures :	10/02/2016
Plaintiff's 30-day Trial Period Ends :	11/16/2016
Defendant's Pretrial Disclosures :	12/01/2016
Defendant's 30-day Trial Period Ends :	01/15/2017
Plaintiff's Rebuttal Disclosures :	01/30/2017
Plaintiff's 15-day Rebuttal Period Ends :	03/01/2017

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *Significant progress has been made towards settlement. Since the institution of the proceedings the parties have had verbal and written settlement negotiations, and have drafted, reviewed and proposed term sheets, as well as drafted and exchanged a draft settlement agreement. Since the parties last sought an extension, Applicant's counsel reviewed the draft settlement agreement with Applicant. Applicant's counsel thereafter revised the agreement pursuant to Applicant's comments, and sent the revised settlement agreement to Opposer's outside counsel for consideration. Opposer's outside counsel reviewed Applicant's comments to the settlement agreement, and the parties' counsel scheduled a telephone conference for next week to discuss the open terms. The additional time is requested to allow the parties' counsel time to discuss the open terms in the agreement, which involve specific provisions regarding the use and registration of the parties' marks, and for the parties to continue working towards settlement of this matter. The parties believe they will timely resolve this matter. The parties also request that the pro-*

ceedings be suspended pending disposition of this motion.

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/

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