

ESTTA Tracking number: **ESTTA531774**

Filing date: **04/11/2013**

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

Proceeding.	91209150
Applicant	Defendant BLUE GORILLA LLC
Other Party	Plaintiff VIX SWIMWEAR, INC.

## 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 04/15/2013. BLUE GORILLA LLC requests that such date be extended for 30 days, or until 05/15/2013, and that all subsequent dates be reset accordingly.

Time to Answer :	05/15/2013
Deadline for Discovery Conference :	06/14/2013
Discovery Opens :	06/14/2013
Initial Disclosures Due :	07/14/2013
Expert Disclosure Due :	11/11/2013
Discovery Closes :	12/11/2013
Plaintiff's Pretrial Disclosures :	01/25/2014
Plaintiff's 30-day Trial Period Ends :	03/11/2014
Defendant's Pretrial Disclosures :	03/26/2014
Defendant's 30-day Trial Period Ends :	05/10/2014
Plaintiff's Rebuttal Disclosures :	05/25/2014
Plaintiff's 15-day Rebuttal Period Ends :	06/24/2014

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

BLUE GORILLA LLC has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

BLUE GORILLA 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 Facsimile or email (by agreement only) on this date.

Respectfully submitted,  
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04/11/2013