

ESTTA Tracking number: **ESTTA636650**

Filing date: **11/03/2014**

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

Proceeding.	91211848
Applicant	Plaintiff Cleveland Indians Baseball Company Limited Partnership
Other Party	Defendant Light Tribe Creations N.V.
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 11/04/2014. Cleveland Indians Baseball Company Limited Partnership requests that such date be extended for 90 days, or until 02/02/2015, and that all subsequent dates be reset accordingly.

Time to Answer :	02/02/2015
Deadline for Discovery Conference :	03/04/2015
Discovery Opens :	03/04/2015
Initial Disclosures Due :	04/03/2015
Expert Disclosure Due :	08/01/2015
Discovery Closes :	08/31/2015
Plaintiff's Pretrial Disclosures :	10/15/2015
Plaintiff's 30-day Trial Period Ends :	11/29/2015
Defendant's Pretrial Disclosures :	12/14/2015
Defendant's 30-day Trial Period Ends :	01/28/2016
Plaintiff's Rebuttal Disclosures :	02/12/2016
Plaintiff's 15-day Rebuttal Period Ends :	03/13/2016

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *Significant 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 settlement terms, and exchanged drafts of a settlement agreement. Specifically, since the last extension, Applicant's counsel reviewed the draft agreement that was prepared by Opposer based on settlement conferences between the parties' counsel. Applicant's counsel conferred with Applicant regarding the terms of the agreement, and Applicant's counsel revised the agreement accordingly. Thereafter, Applicant's counsel sent Opposer's counsel a revised agreement for Opposer's consideration. The additional time is requested for Opposer to review Applicant's proposed revisions to the agreement, and for the parties to work towards settlement of this matter. Outstanding issues relate to the use and registration of Applicant's and Opposer's respective marks. The parties have not yet engaged in formal discovery. The parties note that they are jointly committed to reaching an amicable resolution and have made signi-*

ficant progress. The parties strongly believe they will timely resolve any remaining issues.

Cleveland Indians Baseball Company Limited Partnership has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Cleveland Indians Baseball Company 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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