

ESTTA Tracking number: **ESTTA681690**

Filing date: **07/02/2015**

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 07/02/2015. Cleveland Indians Baseball Company Limited Partnership requests that such date be extended for 90 days, or until 09/30/2015, and that all subsequent dates be reset accordingly.

Time to Answer :	09/30/2015
Deadline for Discovery Conference :	10/30/2015
Discovery Opens :	10/30/2015
Initial Disclosures Due :	11/29/2015
Expert Disclosure Due :	03/28/2016
Discovery Closes :	04/27/2016
Plaintiff's Pretrial Disclosures :	06/11/2016
Plaintiff's 30-day Trial Period Ends :	07/26/2016
Defendant's Pretrial Disclosures :	08/10/2016
Defendant's 30-day Trial Period Ends :	09/24/2016
Plaintiff's Rebuttal Disclosures :	10/09/2016
Plaintiff's 15-day Rebuttal Period Ends :	11/08/2016

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 multiple drafts of a settlement agreement. Specifically, since the last extension, Opposer's outside counsel reviewed Applicant's comments to the agreement. Thereafter, Opposer's outside counsel revised the agreement accordingly and relayed the revised agreement to Opposer's in-house counsel for consideration. Opposer's in-house counsel then reviewed the agreement, and relayed its comments to Opposer's outside counsel. Opposer's outside counsel revised the agreement accordingly and sent the revised agreement to Applicant's counsel for consideration. Applicant's counsel reviewed the agreement with Applicant, and agreed to the core terms. The applicant filed a recordal with WIPO. The additional time is requested to allow the recordal to be processed, and for the parties to finalize the settlement agreement. If the agreement is accepted by both sides, there will be no*

need to proceed with the opposition. The parties strongly believe that they will timely resolve this matter.
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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07/02/2015