

ESTTA Tracking number: **ESTTA559554**

Filing date: **09/16/2013**

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

|  |                                     |
|--|-------------------------------------|
| Proceeding.  | 91211885                            |
| Applicant  | Defendant<br>Aziah, LLC             |
| Other Party  | Plaintiff<br>Beats Electronics, LLC |
| 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 09/14/2013. Aziah, LLC requests that such date be extended for 90 days, or until 12/13/2013, and that all subsequent dates be reset accordingly.

|   |            |
|---|------------|
| Time to Answer :                          | 12/13/2013 |
| Deadline for Discovery Conference :       | 01/12/2014 |
| Discovery Opens :                         | 01/12/2014 |
| Initial Disclosures Due :                 | 02/11/2014 |
| Expert Disclosure Due :                   | 06/11/2014 |
| Discovery Closes :                        | 07/11/2014 |
| Plaintiff's Pretrial Disclosures :        | 08/25/2014 |
| Plaintiff's 30-day Trial Period Ends :    | 10/09/2014 |
| Defendant's Pretrial Disclosures :        | 10/24/2014 |
| Defendant's 30-day Trial Period Ends :    | 12/08/2014 |
| Plaintiff's Rebuttal Disclosures :        | 12/23/2014 |
| Plaintiff's 15-day Rebuttal Period Ends : | 01/22/2015 |

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

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

Aziah, 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,

/Thilo C. Agthe/

Thilo C. Agthe

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