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

Proceeding	91213067
Party	Defendant Simmons Veterinary Clinic, Inc.
Correspondence Address	MICHAEL W VARY MCCARTHY LEBIT CRYSTAL & LIFFMAN CO LPA 101 W PROSPECT AVE , SUITE 1800 CLEVELAND, OH 44115-1088 UNITED STATES kmh@mccarthylebit.com, mwv@mccarthylebit.com
Submission	Motion to Extend
Filer's Name	Michael W. Vary
Filer's e-mail	mwv@mccarthylebit.com
Signature	/s/Michael W. Vary
Date	05/23/2014
Attachments	SVC.T001.USA.OPP -Request for extension of time (00605863).PDF(55643 bytes )

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

MARGARITAVILLE ENTERPRISES, LLC

Opposer,

v.

SIMMONS VETERINARY CLINIC, INC.

Applicant.

Opposition No.: 91213067

Application Nos. 85751742, 85920460

Mark: BARKERITAVILLE

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**APPLICANT’S REQUEST FOR EXTENSION OF TIME**

Applicant, Simmons Veterinary Clinic, Inc. (“Applicant” and/or “Simmons”), hereby requests a two week extension of time for the Expert Disclosure deadline and the Discovery Cutoff deadline set in the Order of January 10, 2014, and in support thereof states:

1. The parties have had significant settlement conversations in the last month and a proposed settlement agreement is under consideration.
2. Initial disclosures, document productions and interrogatory answers have been exchanged in discovery to date. No depositions have been taken.
3. Applicant recently acquired a new business partner who is in the process of reviewing this matter and the proposal for settlement. Applicant expects

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to respond to the outstanding proposal for settlement sometime later next week (The week of May 26-30).

4. Applicant seeks this extension in good faith, and not to delay unnecessarily the resolution of this matter.

5. This matter has been raised with Opposer, and no agreement has been reached on this issue.

### CONCLUSION

In view of the foregoing, Applicant requests that its request for an extension of time be GRANTED.

Dated: May 23, 2014

Respectfully submitted,

*/s/Michael W. Vary*

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Michael W. Vary, Esq.  
Kristen M. Hoover, Esq.

McCarthy, Lebit, Crystal & Liffman, Co., L.P.A.  
101 West Prospect Ave. Suite 1800  
Cleveland, Ohio 44115  
Tel: 216.696.1422  
Fax: 216.696.1210  
Email: [mwv@mccarthylebit.com](mailto:mwv@mccarthylebit.com)  
[kmh@mccarthylebit.com](mailto:kmh@mccarthylebit.com)

Attorneys for Applicant

## CERTIFICATE OF ELECTRONIC TRANSMISSION

The undersigned hereby certifies that on this 22nd day of January 2014, the foregoing **APPLICANT'S REQUEST FOR EXTENSION OF TIME** was deposited with the United States Patent and Trademark Office, Trademark Trial and Appeal Board via electronic filing through their website at <http://estta.uspto.gov/>.

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 22nd day of January 2014, the foregoing **APPLICANT'S REQUEST FOR EXTENSION OF TIME** was served upon Opposer by delivering a true and correct copy of same to counsel for Opposer via email and first class mail, return receipt requested, as follows:

Joel R. Feldman, Esq.  
GREENBERG TRAURIG, LLP  
Greenberg Traurig, LLP  
3333 Piedmont Rd., NE, Suite 2500  
Atlanta, GA 30305  
[atltrademark@gtlaw.com](mailto:atltrademark@gtlaw.com)  
[feldmanjoel@gtlaw.com](mailto:feldmanjoel@gtlaw.com)

Date: May 23, 2014

*/s/Michael W. Vary*

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Michael W. Vary, Esq.  
One of the Counsel for Applicant  
McCarthy, Lebit, Crystal & Liffman, Co., L.P.A.