

ESTTA Tracking number: **ESTTA583963**

Filing date: **01/27/2014**

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

Proceeding	91214095
Party	Defendant Happy's Pizza Company
Correspondence Address	MARK D. SCHNEIDER GIFFORD, KRASS, SPRINKLE, ANDERSON & CIT PO BOX 7021 TROY, MI 48007-7021  docket@patlaw.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Mark D. Schneider
Filer's e-mail	docket@patlaw.com, dnichols@patlaw.com
Signature	/Mark D. Schneider/
Date	01/27/2014
Attachments	Motion for 60 day Extension of All Dates with Consent.pdf(10254 bytes )

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

Trademark Application Serial No. 85/880,368  
Mark: HAPPY'S PIZZA FRESH EXPRESS  
Filing Date: March 19, 2013

Fresh Express Incorporated,

Opposer,

Opposition No. 91214095

vs.

Happy's Pizza Company,

Applicant.

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**MOTION FOR 60-DAY EXTENSION  
OF ALL DATES WITH CONSENT**

The parties are engaged in negotiations for settlement of this matter and request that all dates be extended 60 days to allow the parties to continue their settlement efforts. Counsel for Opposer has consented to this extension.

The Time to Answer is currently set to close on January 28, 2014. Applicant requests that such date be extended for 60 days, or until March 29, 2014, and that all subsequent dates be reset accordingly.

Time to Answer	3/29/2014
Deadline for Discovery Conference	4/28/2014
Discovery Opens	4/28/2014
Initial Disclosures Due	5/28/2014
Expert Disclosures Due	9/25/2014
Discovery Closes	10/25/2014
Plaintiff's Pretrial Disclosures	2/7/2015
Plaintiff's 30-day Trial Period Ends	1/23/2015
Defendant's Pretrial Disclosures	12/9/2014
Defendant's 30-day Trial Period Ends	3/23/2015
Plaintiff's Rebuttal Disclosures	4/6/2015
Plaintiff's 15-day Rebuttal Period Ends	5/8/2015

Respectfully submitted,

s/Mark D. Schneider/  
GIFFORD, KRASS, SPRINKLE,  
ANDERSON & CITKOWSKI, P.C.  
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P.O. Box 7021  
Troy, MI 48007-7021  
(248) 647-6000  
(248) 647-5210 – Facsimile

*Attorney for Applicant*

Dated: January 27, 2014

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing **MOTION FOR 60-DAY EXTENSION OF ALL DATES WITH CONSENT** was sent via e-mail and first class mail to the following:

E. Lynn Perry  
Perry IP Group A.L.C.  
900 Larkspur Landing Circle, Suite 226  
Larkspur, CA 94939  
lperry@perryip.com

on this 27<sup>th</sup> day of January, 2014.

s/Mark D. Schneider/  
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