

ESTTA Tracking number: **ESTTA677669**

Filing date: **06/11/2015**

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

Proceeding	91214224
Party	Defendant KCI Licensing, Inc.
Correspondence Address	PAMELA B HUFF DYKEMA COX SMITH 112 E PECAN ST STE 1800 SAN ANTONIO, TX 78205-1521 UNITED STATES ipdocket@dykema.com, ipdocket@coxsmith.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Kristi F. Dent
Filer's e-mail	ipdocket@coxsmith.com, acorea@ssjr.com
Signature	/kfdent/
Date	06/11/2015
Attachments	9800.3351 SUPP.pdf(172215 bytes)

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

Sanovas, Inc.	§	
Opposer	§	
vs.	§	Opposition No.: 91214224
	§	
KCI Licensing, Inc.	§	
Applicant.	§	

Commissioner for Trademarks
 BOX TTAB – NO FEE
 P. O. Box 1451
 Alexandria, VA 22313-1451

**SUPPLEMENTAL FILING ON AGREED MOTION TO RESET SCHEDULING ORDER DATES
AND TO ENLARGE TIME TO ANSWER NOTICE OF OPPOSITION**

KCI Licensing, Inc. (Applicant) filed a Motion for an Extension of Answer of Discovery or Trial Periods with Consent, with the consent of the Opposer, Sanovas, Inc. The Motion was submitted on May 29, 2015 in advance of the June 1, 2015 filing deadline. In response to the Board’s Order dated May 13, 2015, Applicant prepared a progress report (attached hereto) but failed to submit it with the on-line Extension Request. Therefore, Applicant requests that the Board review and consider all the information related to this matter, as such exclusion was due to a clerical error and was not done with any intent to deceive or unnecessarily delay the proceedings.

To restate the request contained in the attached, pursuant to the agreement of the parties in this proceeding, it is hereby requested, in accordance with 37 C.F.R. §2.121(d), that the scheduling order be reset as follows:

Time to Answer	06/30/2015
Deadline for Discovery Conference	07/30/2015
Discovery Opens	07/30/2015
Initial Disclosures Due	08/29/2015
Expert Disclosures Due	12/27/2015
Discovery Closes	01/26/2016
Plaintiff’s Pretrial Disclosures	03/11/2016
Plaintiff’s 30-day Trial Period Ends	04/25/2016
Defendant’s Pretrial Disclosures	05/10/2016
Defendant’s 30-day Trial Period Ends	06/24/2016
Plaintiff’s Rebuttal Disclosures	07/09/2016
Plaintiff’s 15-day Rebuttal Period Ends	08/08/2016

The above schedule is sought in order to facilitate the parties' orderly conduct of the proceedings and settlement efforts. The Parties respectfully request that the Board grant this

Agreed Motion to Reset Scheduling Order Dates and to Enlarge Time to Answer Notice of Opposition.

Respectfully submitted,

/Kristi F. Dent/

By: _____

Kristi F. Dent
Pamela B. Huff, Reg. No. 35,901
DYKEMA COX SMITH
112 East Pecan Street, Suite 1800
San Antonio, Texas 78205
Tel: 210-554-5516
Email: ipdocket@coxsmith.com

ATTORNEYS FOR APPLICANT

Dated: June 11, 2015

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Supplemental Filing on Agreed Motion to Reset Scheduling Order Dates and to Enlarge Time to Answer Notice of Opposition has been forwarded to the following by electronic mail on this the 11th day of June, 2015.

Andy I. Corea (Mr.)
St. Onge Steward Johnston & Reens LLC
986 Bedford Street
Stamford, Connecticut 06905-5619
acorea@ssjr.com

/Kristi F. Dent/

Kristi F. Dent

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

Sanovas, Inc. §
Opposer §
vs. § Opposition No.: 91214224
§
KCI Licensing, Inc. §
Applicant. §

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Alexandria, VA 22313-1451

**AGREED MOTION TO RESET SCHEDULING ORDER DATES
AND TO ENLARGE TIME TO ANSWER NOTICE OF OPPOSITION**

Applicant, KCI Licensing, Inc. (Applicant), with the consent of the Opposer, Sanovas, Inc. pursuant to TBMP 316.03 and 509.01(a), requests that the deadline to file Applicant's Answer and all remaining deadlines be extended an additional 30 days as set forth below.

Applicant and Opposer agreed to the extension via email by their Counsel on Thursday, May 28, 2015.

In response to the Board's Order dated May 13, 2015, the following is a report of the progress made to date, which the parties believe clearly establishes the good cause showing needed for this consented motion.

To date, there has been no discovery, but the Opposer's representative has indicated that the most recent draft is with his client and should be executed within the next few days. However, such signed Agreement will likely not reach Applicant's counsel by the deadline. In Applicant's opinion, we should have the signed Settlement Agreement in hand within the week of June 1, 2015.

Pursuant to the agreement of the parties in this proceeding, it is hereby requested, in accordance with 37 C.F.R. §2.121(d), that the scheduling order be reset as follows:

Time to Answer	06/30/2015
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Plaintiff's Rebuttal Disclosures	07/09/2016
Plaintiff's 15-day Rebuttal Period Ends	08/08/2016

The above schedule is sought in order to facilitate the parties' orderly conduct of the proceedings and settlement efforts. The Parties respectfully request that the Board grant this Agreed Motion to Reset Scheduling Order Dates and to Enlarge Time to Answer Notice of Opposition.

Respectfully submitted,

/Kristi F. Dent/

By: _____

Kristi F. Dent
Pamela B. Huff, Reg. No. 35,901
DYKEMA COX SMITH
112 East Pecan Street, Suite 1800
San Antonio, Texas 78205
Tel: 210-554-5516
Email: ipdocket@coxsmith.com

ATTORNEYS FOR APPLICANT

Dated: May 29, 2015

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Agreed Motion to Reset Scheduling Order Dates and to Enlarge Time to Answer Notice of Opposition has been forwarded to the following by electronic mail on this the 29th day of May, 2015.

Andy I. Corea (Mr.)
St. Onge Steward Johnston & Reens LLC
986 Bedford Street
Stamford, Connecticut 06905-5619
acorea@ssjr.com

/Kristi F. Dent/

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