

ESTTA Tracking number: **ESTTA634713**

Filing date: **10/23/2014**

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

Proceeding	91218468
Party	Defendant Ali Baba Holdings, LLC
Correspondence Address	KIMBERLY A PEASLEE DEVINE MILLIMET & BRANCH 111 AMHERST ST MANCHESTER, NH 03101-1809 UNITED STATES
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Kimberly A. Peaslee
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Signature	/Kimberly A. Peaslee/
Date	10/23/2014
Attachments	Registrant's Assented-to Motion for Extension of Time (M2743501x9DD8D).PDF(89153 bytes)

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

WHOLE FOODS MARKET)	
)	
Petitioner,)	
)	
v.)	
)	Opposition No.: 91218468
ALI BABA HOLDINGS, LLC,)	
)	
Registrant.)	
)	
)	
)	
)	
)	

REGISTRANT'S ASSENTED-TO MOTION FOR EXTENSION OF TIME

NOW COMES the Registrant, Ali Baba Holdings, LLC, by and through their attorneys Devine, Millimet and Branch, Professional Association and respectfully requests that the Board grant this assented-to motion for an extension of time to file an answer and in support thereof states:

1. On October 17, 2014, Registrant's Attorney submitted a Request to Withdraw as Attorney, which has not yet been acted on. We hereby request, on behalf of Registrant, an extension of the applicable deadlines in the case of three weeks, in order to allow Registrant time to obtain new counsel and prepare and file an answer in this case.

2. Pursuant to TMBP 501.03, if this request for an extension of time is granted, the new deadlines in this case will be as follows:

Time to Answer:	11/23/14
Deadline for Discovery Conference:	12/23/14
Discovery Opens:	12/23/14

Initial Disclosures Due:	01/22/15
Expert Disclosures Due:	05/22/15
Discovery Closes:	06/21/15
Plaintiff's Pretrial Disclosures:	08/05/15
Plaintiff's 30-day Trial Period Ends:	09/19/15
Defendant's Pretrial Disclosures:	10/04/15
Defendant's 30-day Trial Period Ends:	11/18/15
Plaintiff's Rebuttal Disclosures:	12/03/15
Plaintiff's 15-day Rebuttal Period Ends:	01/02/16

3. Counsel for the Whole Foods Market has been contacted and has given his consent to the extension of time to file an answer. Pursuant to TMBP 501.03, the remaining deadlines have been calculated, as stated above.

WHEREFORE, for the reasons stated above, the Registrant, Ali Baba Holdings, LLC, respectfully requests that the Board grant this Assented-To Motion for Extension of Time to File an Answer to November 23, 2014 and extend the remaining deadlines as noted above.

Respectfully submitted,

Ali Baba Holdings, LLC

By their Attorneys,

DEVINE, MILLIMET & BRANCH,
PROFESSIONAL ASSOCIATION

Dated: *October 23, 2014*

By: _____

[Signature]
Kimberly A. Peaslee, Esquire
Steven E. Grill, Esquire
111 Amherst Street
Manchester, NH 03101
(603) 669-1000

CERTIFICATE OF SERVICE

I certify that the foregoing Registrant's Assented-To Motion for Extension of Time was filed with the TTAB electronically using ESTTA this 23rd day of October, 2014; and sent by regular mail to Christopher L. Graff, Esq., Pirkey Barber PLLC, 600 Congress Avenue, Suite 2120, Austin, Texas 78701.



Kimberly A. Peaslee, Esquire