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Filing date: **08/31/2015**

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

Proceeding	91219109
Party	Plaintiff Monster Energy Company
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Submission	Motion to Extend
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Signature	/Jonathan Menkes/
Date	08/31/2015
Attachments	2015-08-31 MTN TO EXTEND ANSWER WITH CONSENT-HAN- BEV.2756M.pdf(73933 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

MONSTER ENERGY COMPANY,

Opposer,

v.

CUTTWOOD, LLC,

Applicant.

)  
) Opposition No.: 91219109  
)  
) Serial No.: 86/255599  
)  
) Mark: MONSTER MELONS  
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**MOTION FOR EXTENSION OF ANSWER DISCOVERY  
OR TRIAL PERIODS WITH CONSENT**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Dear Sir or Madam:

Pursuant to C.F.R. § 2.120(a)(2), Opposer, Monster Energy Company, hereby moves that the deadline for Applicant, Cuttwood, LLC, to file its Answer and be extended 60 days until November 3, 2015 in the above-referenced opposition proceeding, and all subsequent dates set in this case be extended accordingly.

The proposed dates are as follows:

<b>Time to Answer</b>	<b>November 3, 2015</b>
<b>Deadline for Discovery Conference</b>	<b>December 3, 2015</b>
<b>Discovery Opens</b>	<b>December 3, 2015</b>
<b>Initial Disclosures Due</b>	<b>January 2, 2016</b>
<b>Expert Disclosures Due</b>	<b>May 1, 2016</b>

<b>Discovery Period to Close</b>	<b>May 31, 2016</b>
<b>Plaintiff's Pretrial Disclosures due</b>	<b>July 15, 2016</b>
<b>Plaintiff's 30-day Trial Period Ends</b>	<b>August 29, 2016</b>
<b>Defendant's Pretrial Disclosures</b>	<b>September 13, 2016</b>
<b>Defendant's 30-day Trial Period Ends</b>	<b>October 28, 2016</b>
<b>Plaintiff's Rebuttal Disclosures</b>	<b>November 12, 2016</b>
<b>Plaintiff's 15-day Rebuttal Period Ends</b>	<b>December 12, 2016</b>

This motion is not for purposes of delay but to allow the parties to continue settlement negotiations. Applicant's counsel, Justin H. Aida, consented to this extension via email on August 31, 2015.

The parties are confident the short extension will help avoid unnecessary costs associated with discovery, pre-trial motion practice, and testimony, and could avert costs to the Board as well. Moreover, the Motion is stipulated between all parties, which indicates neither party will be prejudiced by any delay associated with the extension. In light of the foregoing, Opposer respectfully moves that the Board extend all deadlines for a period of 60 days.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 8/31/2015

By: /Jonathan Menkes/  
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Monster Energy Company

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **MOTION FOR EXTENSION OF ANSWER DISCOVERY OR TRIAL PERIODS WITH CONSENT** has been served on Applicant's attorney of record on August 31, 2015 via electronic mail:

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Signature: 

Name: Doreen P. Buluran

Date: August 31, 2015