

ESTTA Tracking number: **ESTTA768191**

Filing date: **09/01/2016**

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

Proceeding.	91219959
Applicant	Plaintiff Universal Protein Supplements Corporation dba Universal Nutrition
Other Party	Defendant Fitness Publications, Inc.
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	Yes

Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Close of Discovery is currently set to close on 09/23/2016. Universal Protein Supplements Corporation dba Universal Nutrition requests that such date be extended for 90 days, or until 12/22/2016, and that all subsequent dates be reset accordingly.

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	CLOSED
Initial Disclosures Due :	CLOSED
Expert Disclosure Due :	11/22/2016
Discovery Closes :	12/22/2016
Plaintiff's Pretrial Disclosures :	02/05/2017
Plaintiff's 30-day Trial Period Ends :	03/22/2017
Defendant/Counterclaim Plaintiff's Pretrial Disclosures :	04/06/2017
30-day Trial Period for Defendant and Plaintiff in the Counterclaim :	05/21/2017
Counterclaim Defendant's and Plaintiff Rebuttal Disclosures Due :	06/05/2017
30-day Trial Period for Counterclaim Defendant and Rebuttal Testimony as Plaintiff ends :	07/20/2017
Counterclaim Plaintiff's Rebuttal Disclosures Due :	08/04/2017
15-day Rebuttal Period for Counterclaim Plaintiff Ends :	09/03/2017
Plaintiff's Trial Brief Due :	11/02/2017
Defendant's Trial Brief and Plaintiff in the Counterclaim Due :	12/02/2017
Brief for Defendant in the Counterclaim and Reply Brief, if any, for Plaintiff Due :	01/01/2018
Reply Brief, if any, for Plaintiff in the Counterclaim	01/16/2018

Due :

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Parties are engaged in settlement discussions*

Universal Protein Supplements Corporation dba Universal Nutrition has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Universal Protein Supplements Corporation dba Universal Nutrition has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Respectfully submitted,

/James E. Griffith/

James E. Griffith

jgriffith@marshallip.com, kking@marshallip.com, mgorman@marshallip.com

efilings@loeb.com, mhoward@loeb.com, dgrace@loeb.com

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