

ESTTA Tracking number: **ESTTA304042**

Filing date: **09/01/2009**

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

Proceeding	92050401
Party	Defendant John Moriarty
Correspondence Address	John Moriarty 2777 Northtowne Lane, #2105 Reno, NV 89512 UNITED STATES april.m.wurster@bakernet.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	April Wurster
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Signature	/April Wurster/
Date	09/01/2009
Attachments	Request for extension of time filed 09.01.09.pdf (2 pages)(62192 bytes)

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

Proceeding.	92050401
Applicant	Defendant John Moriarty
Other Party	Plaintiff Simply Sushi, LLC

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

The Defendant's Time to Answer is currently set to close on 09/02/2009. John Moriarty requests that such date be extended for 14 days, or until 09/16/2009, and that all subsequent dates be reset accordingly.

Time to Answer :	09/16/2009
Deadline for Discovery Conference :	10/15/2009
Discovery Opens :	10/15/2009
Initial Disclosures Due :	11/16/2009
Expert Disclosure Due :	03/15/2010
Discovery Closes :	04/14/2010
Plaintiff's Pretrial Disclosures :	05/28/2010
Plaintiff's 30-day Trial Period Ends :	07/12/2010
Defendant's Pretrial Disclosures :	07/27/2010
Defendant's 30-day Trial Period Ends :	09/10/2010
Plaintiff's Rebuttal Disclosures :	09/27/2010
Plaintiff's 15-day Rebuttal Period Ends :	10/25/2010

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

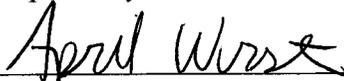
John Moriarty has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

John Moriarty 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.

II. Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,



April Wurster

april.m.wurster@bakernet.com

09/01/2009

III. Certificate Of Transmission

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office via the Electronic System for Trademark Trials and Appeals on 09/01/09

Date Signature: 09/01/09



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09/01/09