

ESTTA Tracking number: **ESTTA379122**

Filing date: **11/17/2010**

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

Proceeding.	92053149
Applicant	Defendant Apple Inc.
Other Party	Plaintiff Phillips-Van Heusen Corporation

## 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 11/24/2010. Apple Inc. requests that such date be extended for 30 days, or until 12/24/2010, and that all subsequent dates be reset accordingly.

Time to Answer :	12/24/2010
Deadline for Discovery Conference :	01/23/2011
Discovery Opens :	01/23/2011
Initial Disclosures Due :	02/22/2011
Expert Disclosure Due :	06/22/2011
Discovery Closes :	07/22/2011
Plaintiff's Pretrial Disclosures :	09/05/2011
Plaintiff's 30-day Trial Period Ends :	10/20/2011
Defendant's Pretrial Disclosures :	11/04/2011
Defendant's 30-day Trial Period Ends :	12/19/2011
Plaintiff's Rebuttal Disclosures :	01/03/2012
Plaintiff's 15-day Rebuttal Period Ends :	02/02/2012

The grounds for this request are as follows:

- *Registrant's counsel may have a conflict in representing Registrant in this matter and Registrant seeks more time to consider whether the conflict can be addressed, or whether it will need to obtain new representation prior to filing its Answer*

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

Apple Inc. 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,  
/Thomas R. La Perle/  
Thomas R. La Perle  
laperle@apple.com  
floyd.mandell@kattenlaw.com  
11/17/2010