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

Proceeding	92054617
Party	Plaintiff Nouvelle Parfumerie Gandour
Correspondence Address	SCOTT R AUSTIN VLP LAW GROUP LLP 5200 N FEDERAL HWY , SUITE 2-1081 FT LAUDERALE, FL 33308 UNITED STATES SAustin@VLPLawGroup.com,Trademarks@VLPLawGroup.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Scott R. Austin
Filer's e-mail	saustin@vlplawgroup.com
Signature	/Scott R. Austin/
Date	03/27/2015
Attachments	March 27 2015 Consent Motion for Extension of Discovery and Trial Periods.pdf(170699 bytes )

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

In the Matter of Trademark Registration No. 3,504,398  
for the mark BIO CLAIRE Registered September 23, 2008

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	)	
NOUVELLE PARFUMERIE GANDOUR	)	
Petitioner,	)	
v.	)	
Y.Z.Y., INC.	)	Cancellation No. 92054617
Respondent.	)	
	)	
	)	
	)	
	)	

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MOTION TO EXTEND AND RESET  
DISCOVERY AND TRIAL PERIODS WITH CONSENT

Petitioner/Plaintiff Nouvelle Parfumerie Gandour, (“Petitioner”), by and through its attorneys, VLP Law Group LLP, with the consent of counsel to Respondent/Defendant Y.Z.Y., Inc. (“Respondent”), having successfully completed their initial discovery conference in accordance with Trademark Rule 2.120(a)(2) and pursuant to stipulation confirmed in email correspondence between Petitioner’s counsel and Respondent’s counsel, consenting to this Motion and agreeing to service between the parties via electronic mail (the “Stipulation”), hereby moves the Board and requests that the Close of Discovery, currently set for April 15, 2015, be extended for 70 days, or until June 24, 2015, and that all subsequent dates be reset accordingly, as set forth below. The grounds for this request are that the Parties are unable to complete discovery during the currently assigned period. The extension and resetting of the discovery and trial periods for these

proceedings will allow the parties additional time to transition from settlement discussions back to discovery, complete written discovery pending prior to the recent suspension for settlement, and schedule depositions in Florida with parties and witnesses who must travel from residences located near Petitioner's business in Cote d'Ivoire, West Africa. To extend all respective remaining deadlines under the Board's prior Scheduling Order by 70 days will reset the schedule for the Discovery and Trial Periods in accordance with 37 C.F.R. § 2.121(c), as follows:

Expert Disclosures Due	5/24/2015
Discovery Closes	6/24/2015
Plaintiff's Pretrial Disclosures	8/7/2015
Plaintiff's 30-day Trial Period Ends	9/21/2015
Defendant's Pretrial Disclosures	10/6/2015
Defendant's 30-day Trial Period Ends	11/23/2015
Plaintiff's Rebuttal Disclosures	12/8/2015
Plaintiff's 15-day Rebuttal Period Ends	1/6/2016

Respondent through its counsel consented to the 70 day extension and resulting resetting of the Discovery and Trial Periods requested herein via electronic mail to counsel for Petitioner, Scott R. Austin on March 27, 2015.

In light of the foregoing, Petitioner respectfully requests that the Board grant Petitioner's Consent Motion and extend the Discovery and Trial Periods to the respective dates set forth above.

Dated: March 27, 2015  
Fort Lauderdale, Florida

Respectfully submitted,  
/Scott R. Austin/ (L.S.)  
Scott R. Austin, Esq.  
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Attorneys for Petitioner

**ELECTRONIC MAILING CERTIFICATE**

I hereby certify that the MOTION TO EXTEND AND RESET SCHEDULE OF DISCOVERY AND TRIAL PERIODS WITH CONSENT is being submitted electronically through the Electronic System for the Trademark Trial and Appeal Board (ESTTA) on this 27th day of March, 2015.

/Scott R. Austin/  
Scott R. Austin  
VLP Law Group LLP

**CERTIFICATE OF SERVICE BY ELECTRONIC MAIL**  
**PER STIPULATION OF COUNSEL**

I hereby certify that on March 27, 2015 a true and correct copy of MOTION TO EXTEND AND RESET SCHEDULE OF DISCOVERY AND TRIAL PERIODS WITH CONSENT is being served via Electronic Mail pursuant to the Stipulation between the respective counsels of record for the parties to this Cancellation Proceeding as follows:

Richard S. Ross, Esq.  
prodp@ix.netcom.com

Date of Electronic Mailing: March 27, 2015

Printed Name: Scott R. Austin

Signature: /Scott R. Austin/