

ESTTA Tracking number: **ESTTA582545**

Filing date: **01/17/2014**

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

Proceeding.	92054683
Applicant	Plaintiff The Hispanic National Bar Association, Inc.
Other Party	Defendant The Hispanic National Bar Foundation, 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 01/17/2014. The Hispanic National Bar Association, Inc. requests that such date be extended for 60 days, or until 03/18/2014, 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 :	02/16/2014
Discovery Closes :	03/18/2014
Plaintiff's Pretrial Disclosures :	05/02/2014
Plaintiff's 30-day Trial Period Ends :	06/16/2014
Defendant's Pretrial Disclosures :	07/01/2014
Defendant's 30-day Trial Period Ends :	08/15/2014
Plaintiff's Rebuttal Disclosures :	08/30/2014
Plaintiff's 15-day Rebuttal Period Ends :	09/29/2014

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *The parties respectfully request that the Board extend the deadlines in this case 60 days to facilitate settlement discussions. The January 3, 2014, Order granting the last request to suspend requires the parties to provide a detailed report if further extensions are requested. Specifically, the order states that the report should address #(1) when the last settlement proposal was sent, by whom, and when a response is expected, (2) a recitation of the issues that have been resolved since the commencement of this proceeding, (3) a list of issues that remain to be resolved, and (4) a timetable for resolution.# In response, Petitioner states the following: (1) Petitioner sent the most recent draft agreement to Registrant's counsel on July 16, 2013. Petitioner has followed up with Registrant's counsel many times, including on July 25, 2013, August 12, 2013, August 21, 2013, August 30, 2013, September 16, 2013, November 14, 2013, November 26, 2013, December 23, 2013, and January 14, 2014, but still has*

received no feedback on the draft. However, the parties have scheduled a call to discuss the terms on January 22, 2014, so Registrant's response is expected to be conveyed at that time. (2) The parties have resolved most of the issues relating to settlement, including use of a disclaimer, the nature of the services to be provided under the marks, and the issuance of a public statement by Petitioner. (3) Issues that remain outstanding include where the disclaimer will appear on Registrant's web site, what changes must be made to Registrant's web site, and what the public statement shall say. (4) Petitioner hopes that the matter will be resolved shortly after the phone conference on January 22, 2014, and well before the requested 60-day extension expires.

The Hispanic National Bar Association, Inc. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

The Hispanic National Bar Association, 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,

/SWJ/

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