

ESTTA Tracking number: **ESTTA522786**

Filing date: **02/21/2013**

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

Proceeding	92056497
Party	Defendant A. Sambado & Son, Inc.
Correspondence Address	THOMAS A DIRKSEN 4607 LAKEVIEW CANYON ROAD, SUITE 117 WESTLAKE VILLAGE, CA 91361 UNITED STATES trademarks@dirksenlaw.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Thomas A. Dirksen
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Date	02/21/2013
Attachments	2013_0221_motion_to_extend.pdf (2 pages)(54130 bytes)

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

In the Matter of Trademark: PRIMA FRUTTA®
Registration No. 3,334,633
For: Fresh fruits, fresh vegetables
Registered: November 13, 2007

GERAWAN FARMING, INC.)
Petitioner,)
)
v.)
)
A. SAMBADO & SON, INC.)
Registrant,)

Cancellation No. 92056497

MOTION FOR AN EXTENSION OF TIME TO FILE ANSWER WITH CONSENT

The Defendant's Time to Answer is currently set to close on February 21, 2013.

Registrant, A. Sambado & Sons, Inc. hereby requests that such date be extended for fourteen (14) days, or until March 7, 2013.

The grounds for this request are that the parties are engaged in settlement discussions, and because Petitioner is willing to provide Registrant sufficient time to explore fully settlement of the above-captioned matter without needless expenditure of attorney's fees.

A. Sambado & Sons, Inc. has secured the express consent of all other parties to this proceeding for the extension requested herein.

A. Sambado & Sons, Inc. has provided an e-mail address for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

It is further stipulated and agreed that by requesting this motion, Registrant, A. Sambado & Son, Inc. is not waiving any defenses or any other rights it may have with respect to the above-captioned action.

DATED this 21st day of February, 2013
Westlake Village, California

A. SAMBADO & SON, INC.

By Thomas A. Dirksen

Thomas A. Dirksen, Attorney for Registrant
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record including, without limitation, by First Class Mail, Sheppard Mullin Richter & Hampton LLP, Attn: Jill M. Pietrini, Esq., 1901 Avenue of the Stars, Suite 1600, Los Angeles, California 90067-6017, and by email (by agreement only), to jpietrini@sheppardmullin.com on this 21st day of February, 2013.

By: Susan R. Levitt
Susan R. Levitt