

ESTTA Tracking number: **ESTTA518510**

Filing date: **01/28/2013**

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	01/28/2013
Attachments	2013_0128_motion_extend.pdf ( 2 pages )(55892 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.	)	<b>Cancellation No. 92056497</b>
	)	
A. SAMBADO & SON, INC.	)	
Registrant,	)	

**MOTION FOR AN EXTENSION OF TIME TO FILE ANSWER WITH CONSENT**

The Defendant's Time to Answer is currently set to close on January 28, 2013.

Registrant, A. Sambado & Sons, Inc. hereby requests that such date be extended for ten (10) days, or until February 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 28th day of January, 2013  
Westlake Village, California

A. SAMBADO & SON, INC.

By Thomas A. Dirksen

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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 Facsimile (310) 229-3701 and by email (by agreement only), to [jpietrini@sheppardmullin.com](mailto:jpietrini@sheppardmullin.com) on this 28<sup>th</sup> day of January, 2013.

By: Susan R. Levitt  
Susan R. Levitt