

ESTTA Tracking number: **ESTTA629750**

Filing date: **09/29/2014**

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

Proceeding	92057023
Party	Plaintiff LuckyU Enterprises, Inc., dba Giovanni's Original White Shrimp Truck
Correspondence Address	JENNIFER FRASER NOVAK DRUCE CONNOLLY BOVE + QUIGG LLP 1875 EYE STREET NW, ELEVENTH FLOOR WASHINGTON, DC 20006 UNITED STATES trademark@novakdruce.com, jennifer.fraser@novakdruce.com, daniel.mullarkey@novakdruce.com, breanne.staley-ashe@novakdruce.com, tm-docket@novakdruce.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Daniel P. Mullarkey
Filer's e-mail	tm-docket@novakdruce.com, daniel.mullarkey@novakdruce.com
Signature	/Daniel P. Mullarkey/
Date	09/29/2014
Attachments	Consented to Motion for Extension of Time to Extend Trial Period.pdf(13154 bytes )

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

In the matter of Trademark Trial and Appeal Board

Cancellation No. 92057023

Marks: GIOVANNI'S ALOHA FOODS

GIOVANNI'S SCAMPI MARINADE

GIOVANNI'S ORIGINAL WHITE SHRIMP TRUCK

GIOVANNI'S HOT & SPICY WE REALLY MEAN IT! SAUCE

LuckyU Enterprises, Inc., dba Giovanni's :  
Original White Shrimp Truck :

Petitioner, :

v. :

Cancellation No. 92057023

John "Giovanni" Aragona :

Respondent. :

**CONSENTED TO MOTION TO EXTEND THE TRIAL PERIOD**

Lucky U Enterprises, Inc., dba Giovanni's Original White Shrimp Truck ("Petitioner" or "Lucky U") and John "Giovanni" Aragona ("Aragona" or "Registrant") respectfully request the Board grant an extension of the parties' trial periods. Petitioner's trial period ended on a Sunday, September 28, 2014, and thus the period is set to end today, Monday, September 29, 2014. Registrant's trial period is currently scheduled to end on Thursday, November 27, 2014, Thanksgiving. The parties have conferred and agree to extend all the scheduled dates by one week.

**New Deadlines:**

Plaintiff's 30-day Trial Period Ends	10/05/2014
Defendant's Pretrial Disclosures Due	10/20/2014
Defendant's 30-day Trial Period Ends	12/04/2014
Plaintiff's Rebuttal Disclosures Due	12/19/2014
Plaintiff's 15-day Rebuttal Period Ends	01/18/2015

Petitioner respectfully requests that the Board enter an order granting the Consented To Motion to Extend the Trial Period and/or taking any other appropriate action the Board deems just and proper.

Respectfully submitted,

Date: September 29, 2014

/s/ Daniel P. Mullarkey  
Jennifer Fraser, Esq  
Daniel P. Mullarkey  
Novak Druce Connolly Bove + Quigg, LLP  
1875 Eye Street, NW  
Eleventh Floor  
Washington, DC 20006  
Jennifer.fraser@novakdruce.com  
Daniel.mullarkey@novakdruce.com  
Attorneys for Petitioner

**CERTIFICATE OF SERVICE**

I hereby certify that on this 29<sup>th</sup> day of September 2014 a true and correct copy of the foregoing **CONSENTED TO MOTION TO EXTEND THE TRIAL PERIOD** was served via first class mail to Respondent's Counsel Jamie Pitts at The Law Office of Jamie N. Pitts, 3340 Wood Thrush Dr., Ste. 341, Punta Gorda, FL 33950, with a courtesy copy sent via email to [Jamienpitts@jpnlawfirm.com](mailto:Jamienpitts@jpnlawfirm.com)

s/Daniel P. Mullarkey/  
Daniel P. Mullarkey