

ESTTA Tracking number: **ESTTA561897**

Filing date: **09/27/2013**

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

Proceeding	92057365
Party	Plaintiff Caprico USA LLC
Correspondence Address	FRANCISCO J FERREIRO MALLOY & MALLOY PL 2800 SW THIRD AVENUE MIAMI, FL 33129 UNITED STATES jcmalloy@malloylaw.com, fferreiro@malloylaw.com, litigation@malloylaw.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	John Cyril Malloy, III
Filer's e-mail	jcmalloy@malloylaw.com, fferreiro@malloylaw.com, litigation@malloylaw.com
Signature	/John Cyril Malloy, III/
Date	09/27/2013
Attachments	Motion for Extension of Initial Disclosures.pdf(18668 bytes)

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

In the matter of Registration No. 3,870,044
For the mark "RADIANT GLOW"

CAPRICO USA LLC,)
)
)
 Petitioner,)
)
 vs.) Cancellation No. 92057365
)
 TRACIE MARTYN INTERNATIONAL, LLC)
)
)
 Registrant.)

MOTION WITH CONSENT TO EXTEND TIME TO SERVE
INITIAL DISCLOSURES

COMES NOW Caprico USA LLC ("Petitioner"), and moves for a thirty (30) day extension of the parties' deadline to serve Initial Disclosures, up to and including October 27, 2013. All other dates shall remain the same.

The requested extension has not been made for purposes of mere delay; but, rather, because the Principal of the Petitioner is located overseas, such that additional time is necessary to obtain and verify disclosure materials. Petitioner has secured Registrant's express consent and agreement to the requested extension.

Respectfully submitted,

Dated: September 27, 2013

By: /John Cyril Malloy, III/
John Cyril Malloy, III
Florida Bar No. 964,220
jcmalloy@malloylaw.com

Francisco J. Ferreiro
Florida Bar No. 37,464
fferreiro@malloylaw.com
MALLOY & MALLOY, P.L.
Attorneys for Petitioner
2800 S.W. Third Avenue
Miami, Florida 33129
Telephone: (305) 858-8000
Facsimile: (305) 858-0008

CERTIFICATE OF FILING

I HEREBY CERTIFY that the foregoing document was filed electronically via the ESTTA, at the United States Patent and Trademark Office, Trademark Trial and Appeal Board, web site, www.uspto.gov, this 27th day of September 2013.

By: /John Cyril Malloy, III/
John Cyril Malloy, III

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing document has been served on the following by mailing said copy on September 27, 2013, via First Class Mail, postage prepaid to:

Kathryn Jennison Shultz, Esq.
JENNISON & SHULTZ, P.C.
2001 Jefferson Davis Highway, Suite 1102
Arlington, Virginia 22202

By: /John Cyril Malloy, III/
John Cyril Malloy, III