

ESTTA Tracking number: **ESTTA653280**

Filing date: **01/30/2015**

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

Proceeding	92057936
Party	Plaintiff Mars, Incorporated
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Submission	Stipulated/Consent Motion to Extend
Filer's Name	Jason J. Mazur
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Signature	/Jason J. Mazur/
Date	01/30/2015
Attachments	Mars v. QiaQia - extension request 1-30-15.pdf(110610 bytes )

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

MARS, INCORPORATED :  
Petitioner :  
v. : Cancellation No. 92057936  
QIAQIA FOOD CO., LTD. :  
Registrant :

**PETITIONER'S MOTION FOR EXTENSION OF TIME  
WITH CONSENT**

Petitioner Mars, Incorporated hereby moves that the time within which to serve initial disclosures be extended sixty (60) days to and including March 31, 2015 and that all dates be extended thirty (30) days as follows:

Initial Disclosures Due :	03/31/2015
Expert Disclosures Due :	07/29/2015
Discovery Period to Close :	08/28/2015
Plaintiff Pretrial Disclosures :	10/12/2015
Plaintiff's 30-day Trial Period Ends :	11/26/2015
Defendant's Pretrial Disclosures :	12/11/2015
Defendant's 30-day Trial Period ends :	01/25/2016
Plaintiff's Rebuttal Disclosures :	01/09/2016
Plaintiff's 15-day Rebuttal Period Ends :	03/10/2016

This motion is not made for purposes of delay. The parties remain willing to resolve this matter through negotiation and have continued their settlement discussions since the last extension request was granted. The parties have deferred the taking of discovery so that they can continue to finalize settlement without incurring unnecessary expense.

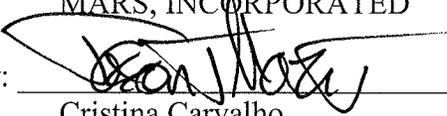
A written settlement agreement has been drafted and circulated, and on numerous occasions since the proceeding was instituted, both parties have provided input and proposed revisions to the agreement. The parties have also been working through complexities arising from the scope of settlement that encompasses other filings of Registrant in the United States and other countries. Petitioner sent additional proposed revisions to Registrant on December 30, 2014, and the parties communicated about settlement as recently as January 21, 2015, when Registrant provided to Petitioner further revisions to the agreement. Those revisions pertain to the scope of limitations relating to Registrant's mark. The agreement currently is being reviewed by Petitioner and its counsel.

The parties remain hopeful that, with additional time and effort, an amicable settlement remains possible. Accordingly, additional time is needed to enable the parties to finalize settlement. The interests of judicial economy will be best served by allowing the parties to continue their settlement efforts. Counsel is currently unable to provide a definitive timetable for resolution, but will prioritize this matter with the hope of resolving this matter during the current extension period.

Registrant's counsel has consented to the granting of this extension. Accordingly, Petitioner respectfully requests that the Board grant this motion. The parties have already held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2).

MARS, INCORPORATED

By: \_\_\_\_\_

  
Cristina Carvalho

Jason Mazur

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**CERTIFICATE OF SERVICE**

It is hereby certified that a copy of the foregoing is being served on Registrant's counsel Lin-Yun Cheng of Pro-Techtor International Services by email at linyun49@gmail.com on January 30, 2015.

  
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