

ESTTA Tracking number: **ESTTA731413**

Filing date: **03/04/2016**

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

Proceeding	92059552
Party	Defendant Affinitas Corporation
Correspondence Address	DENISE C MAZOUR MCGRATH NORTH MULLIN & KRATZ PC LLO 1601 DODGE STREET , FIRST NATIONAL TOWER SUITE 3700 OMAHA, NE 68102 UNITED STATES dmazour@mcgrathnorth.com, msmith@mcgrathnorth.com, dmazour@mcgrathnorth.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Denise C. Mazour
Filer's e-mail	trademark@mcgrathnorth.com, dmazour@mcgrathnorth.com
Signature	/Denise C. Mazour/
Date	03/04/2016
Attachments	Stipulation to Extend Discovery and Trial Dates.pdf(43056 bytes)

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

<p>SMARTFOCUS UK LTD.,</p> <p style="text-align: center;">Petitioner</p> <p style="text-align: center;">v.</p> <p>AFFINITAS CORPORATION,</p> <p style="text-align: center;">Respondent.</p>	<p>Cancellation No.: 92059552</p> <p>Mark: SMARTFOCUS</p> <p>Reg. No. 2089097</p> <p>Issued: August 19, 1997</p>
---	--

STIPULATION TO EXTEND DISCOVERY AND TRIAL DATES

Petitioner's Pretrial disclosures are due on March 21, 2016. Affinitas Corporation ("Respondent") requests that such dates be extended by 30 days, and that all dates be reset accordingly.

Time to Answer	CLOSED
Deadline for Discovery Conference	CLOSED
Discovery Opens	CLOSED
Initial Disclosures Due	CLOSED
Expert Disclosure Due	CLOSED
Discovery Closes	CLOSED
Plaintiff's Pretrial Disclosures	04/20/2016
Plaintiff's 30-day Trial Period Ends	06/04/2016
Defendant's Pretrial Disclosures	06/19/2016
Defendant's 30-day Trial Period Ends	08/03/2016
Plaintiff's Rebuttal Disclosures	08/18/2016
Plaintiff's 15-day Rebuttal Period Ends	09/17/2016

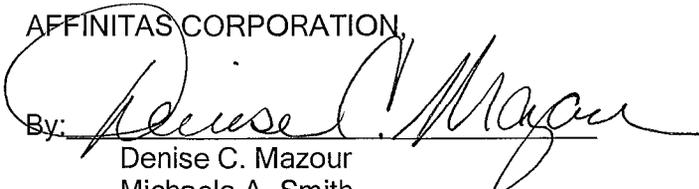
This request is not filed for purposes of delay. The parties are engaged in settlement discussions and submit that the extension of time may save the resources of both the parties

and the Board. The Board is advised that discovery is ongoing and drafts of a proposed settlement agreement have been exchanged between counsel. Specifically, Respondent mailed Interrogatories, Requests for Admissions and Requests for Production to counsel for Petitioner on December 18, 2015. On January 27, 2016, counsel for Petitioner sent a proposed settlement agreement to counsel for Respondent. On February 1, 2016, Petitioner mailed its responses to Respondent's discovery requests. On February 5, 2016, Petitioner mailed Interrogatories, Requests for Production and Requests for Admission to counsel for Respondent. On February 18, 2016, counsel for Respondent sent a revised proposed settlement agreement to counsel for Petitioner. The parties are hopeful that a settlement agreement whose terms are acceptable to both parties will be executed within the next thirty (30) days. Counsel for Petitioner consented to this extension.

Accordingly, Respondent respectfully requests that all dates be reset as set forth above.

DATED this 4th day of March, 2016.

AFFINITAS CORPORATION,

By: 

Denise C. Mazour
Michaela A. Smith
McGrath North Mullin & Kratz, PC LLO
First National Tower, Suite 3700
1601 Dodge Street
Omaha, NE 68102
(402)341-3070
(402)341-0216 (fax)
trademark@mcgrathnorth.com
dmazour@mcgrathnorth.com
msmith@mcgrathnorth.com

ATTORNEYS FOR RESPONDENT

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and complete copy of the above and foregoing STIPULATION TO EXTEND DISCOVERY AND TRIAL DATES was mailed via First Class Mail, postage prepaid, on this 4th day of March, 2016, to the following:

David M. Kelly
Linda K. McLeod
Kelly IP, LLP
1919 M Street, N.W., Suite 610
Washington, DC 20036


DENISE C. MAZOUR