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Filing date: **07/15/2016**

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

Proceeding	92060840
Party	Plaintiff MPOWERED Inc.
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Submission	Stipulated/Consent Motion to Extend
Filer's Name	David M. Kelly
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Signature	/David M. Kelly/
Date	07/15/2016
Attachments	07-15-16 Motion to Extend.pdf(16748 bytes )

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

<p>MPOWERED, INC.,</p> <p align="center">Petitioner,</p> <p align="center">v.</p> <p>MPHASE TECHNOLOGIES, INC. D/B/A MPOWER TECHNOLOGIES, INC,</p> <p align="center">Respondent.</p>	<p>Cancellation No.: 92060840</p> <p>Mark: MPOWER EMERGENCY ILLUMINATOR</p> <p>Registration No.: 3926636</p> <p>Registered: March 1, 2011</p>
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**STIPULATED MOTION TO EXTEND ANSWER, DISCOVERY AND TRIAL DATES  
FOR SETTLEMENT NEGOTIATIONS**

Petitioner MPOWERED, Inc. respectfully requests that the Board extend all trial dates by thirty (30) days as set forth below to allow for settlement negotiations.

Deadline to Answer	CLOSED
Initial Disclosures Due	August 14, 2016
Expert Disclosure Due	December 12, 2016
Discovery Closes	January 11, 2017
Plaintiff's Pretrial Disclosures	February 25, 2017
Plaintiff's 30-day Trial Period Ends	April 11, 2017
Defendant's Pretrial Disclosures	April 26, 2017
Defendant's 30-day Trial Period Ends	June 10, 2017

Plaintiff's Rebuttal Disclosures	June 25, 2017
Plaintiff's 15-day Rebuttal Period Ends	July 25, 2017

This request is not for purposes of delay. Rather the parties are actively engaged in settlement negotiations and have been working diligently to reach an amicable resolution to this dispute. The parties have discussed settlement and/or exchanged proposals on numerous occasions including March 17, 2016, April 12, 2016, April 13, 2016, April 18, 2016, May 16, 2016, and July 15, 2016, and submit that good cause has been shown for the extension.

Respondent stipulated to this request during a phone conference and in an email message with counsel for Petitioner, David M. Kelly, on July 15, 2016.

Respectfully submitted,

Dated: July 15, 2016

By: /David M. Kelly/  
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Attorneys for Petitioner

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing STIPULATED MOTION TO EXTEND ANSWER, DISCOVERY AND TRIAL DATES FOR SETTLEMENT NEGOTIATIONS was served on July 15, 2016 by email, upon consent, on Registrant at the following address of record:

David Aker  
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/Larry L. White/  
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