

ESTTA Tracking number: **ESTTA776604**

Filing date: **10/13/2016**

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

Proceeding.	92060840
Applicant	Defendant mPhase Technologies, Inc.dba mPower Technologies, Inc.
Other Party	Plaintiff MPOWERED Inc.
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	No

Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Close of Discovery is currently set to close on 03/12/2017. mPhase Technologies, Inc.dba mPower Technologies, Inc. requests that such date be extended for 30 days, or until 04/11/2017, and that all subsequent dates be reset accordingly.

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	CLOSED
Initial Disclosures Due :	CLOSED
Expert Disclosure Due :	03/12/2017
Discovery Closes :	04/11/2017
Plaintiff's Pretrial Disclosures :	05/26/2017
Plaintiff's 30-day Trial Period Ends :	07/10/2017
Defendant's Pretrial Disclosures :	07/25/2017
Defendant's 30-day Trial Period Ends :	09/08/2017
Plaintiff's Rebuttal Disclosures :	09/23/2017
Plaintiff's 15-day Rebuttal Period Ends :	10/23/2017

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

mPhase Technologies, Inc.dba mPower Technologies, Inc. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

mPhase Technologies, Inc.dba mPower Technologies, Inc. has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,

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