

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

Mailed: December 15, 2015

Cancellation No. 92061743

Conopco, Inc.

v.

The FRS Company

**Robert H. Coggins,  
Interlocutory Attorney:**

Petitioner's consented motion (filed December 15, 2015) to extend all dates, including deadline for the discovery conference, is **denied**.

While the Board is liberal in granting extensions of time to accommodate settlement, after an answer has been filed the Board is unlikely to find good cause for a motion, even upon consent, to extend the deadline for the parties to conduct the required discovery conference when the basis for the motion is the existence of settlement discussions. *See* TBMP § 509.01(a) (2015); *Boston Red Sox Baseball Club LP v. Chaveriat*, 87 USPQ2d 1767, 1767 n.1 (TTAB 2008) ("It is unlikely the Board will find good cause for a motion to extend or suspend for settlement if the motion is filed after answer but prior to the discovery conference, precisely because the discovery conference itself provides an opportunity to discuss settlement."). *See also*

“Miscellaneous Changes to Trademark Trial and Appeal Board Rules,” 72 Fed. Reg. 42242, 42245 (August 1, 2007).

Inasmuch as the motion to extend was filed after the answer but prior to the parties’ discovery conference, and is based on settlement, the Board does not find good cause to extend.<sup>1</sup> The parties are expected to conduct the required discovery conference without delay. Dates remain as set.

---

<sup>1</sup> Similarly, it does not appear that there was any compelling reason to support the two previous motions to extend. Those orders remain effective notwithstanding the lack of good cause.