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

Proceeding	94002571
Party	Applicant Youth Educational Services, Inc.
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Submission	Stipulated/Consent Motion to Reopen
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Date	10/01/2013
Attachments	09920009ConsentedMotiontoReopenService PeriodandExtend.pdf(73320 bytes)

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

YOUTH EDUCATIONAL SERVICES, INC.	§	
	§	
Petitioner (Plaintiff),	§	
	§	
v.	§	Proceeding No. 94002571
	§	
NASH-FINCH COMPANY,	§	
	§	
Registrant (Defendant).	§	

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 2313-1451

CONSENTED MOTION TO REOPEN APPLICATION SERVICE PERIOD AND TO
RESCHEDULE REMAINING PROCEEDING DATES

Petitioner, Youth Educational Services, Inc., by and through its attorneys of record, and pursuant to 37 C.F.R. § 2.121(d) and TBMP § 509, hereby files this *Consented Motion to Reopen Application Service Period and to Reschedule Remaining Proceeding Dates* with the consent of Registrant, Nash-Finch Company. Petitioner respectfully moves to extend the time for Petitioner to serve a copy of its Application on Registrant, and to extend all remaining proceeding deadlines by 30 days, and in support thereof states as follows:

1. Petitioner, with the consent of Registrant, requests that the time period for Petitioner to serve a copy of its Application on Registrant be reopened, and that Petitioner have 10 days from the date of filing this Consented Motion to serve a copy of such Application on Registrant.

2. Petitioner, with the consent of Registrant, requests that the time period for all remaining proceeding dates be extended by 30 days, as follows:

Time to Answer	November 1, 2013
Deadline for Discovery Conference	December 1, 2013
Discovery Opens	December 1, 2013
Initial Disclosures Due	December 31, 2013
Expert Disclosures Due	April 30, 2014
Discovery Closes	May 30, 2014
Plaintiff's Pretrial Disclosures	July 14, 2014
Plaintiff's 30-day Trial Period Ends	August 28, 2014
Defendant's Pretrial Disclosures	September 12, 2014
Defendant's 30-day Trial Period Ends	October 27, 2014
Plaintiff's Rebuttal Disclosures	November 11, 2014
Plaintiff's 15-day Rebuttal Period Ends	December 11, 2014

3. The grounds for this request are that Petitioner did not receive the Board's original scheduling order until after the 10-day period for serving its Application on Registrant was well past.

4. Petitioner has secured the express consent of Attorney John H. Clifford of the law firm of Merchant & Gould P.C., attorney of record for the Registrant in this proceeding, for the extension of time and for resetting the proceeding dates as requested herein via telephone conference on September 27, 2013.

5. These extensions will not prejudice either party and will not unduly delay the proceeding.

6. Petitioner has provided an e-mail address herewith for itself and for the Registrant so that the Board may issue any order on this motion electronically.

Wherefore, Petitioner, Youth Educational Services, Inc. respectfully submits that good cause has been shown for this request, and in view of the mutual consent, Petitioner requests favorable consideration and approval of this motion.

Respectfully submitted,
Peittioner,
YOUTH EDUCATIONAL SERVICES, INC.

By: /s/ Shannon W. Bates
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CERTIFICATE OF CONFERENCE

I hereby certify that the undersigned attorney of record for Petitioner conferred with Registrant's attorney of record, John A. Clifford, via telephone conference, and Mr. Clifford consented on September 27, 2013 to the foregoing *Consented Motion to Reopen Application Service Period and to Reschedule Remaining Proceeding Dates*.

By: /s/ Shannon W. Bates
 Shannon W. Bates

CERTIFICATE OF TRANSMISSION UNDER TBMP 110

I hereby certify that a true and correct copy of this document, *Consented Motion to Reopen Application Service Period and to Reschedule Remaining Proceeding Dates* in Concurrent Use Proceeding No. 94002571 is being filed electronically through <http://estta.uspto.gov> via the Trademark Trial and Appeal Board Electronic Filing System on Tuesday, the 1st day of October, 2013.

By: /s/ Katie Newgent
Katie Newgent

CERTIFICATE OF SERVICE UNDER TBMP 113

I hereby certify that on October 1, 2013 the foregoing *Consented Motion to Reopen Application Service Period and to Reschedule Remaining Proceeding Dates* was served on the following counsel of record for Registrant via email and via U.S. first class mail, postage prepaid:

ATTORNEYS FOR DEFENDANT

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By: /s/ Katie Newgent
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