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Filing date: **08/03/2010**

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

Proceeding	91187169
Party	Plaintiff Honest Tea, Inc.
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Submission	Stipulated/Consent Motion to Extend
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Date	08/03/2010
Attachments	honest tea marriott motion.pdf ( 3 pages )(50588 bytes )

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

HONEST TEA, INC.

Opposer

vs-

MARRIOTT INTERNATIONAL, INC.

Applicant.

Opposition No 91187169

S.N. 77/348,030

**MOTION ON CONSENT FOR EXTENSION  
OF DISCOVERY AND TRIAL DATES**

BOX TTAB – NO FEE  
Commissioner for Trademarks  
P.O. Box 1451, Alexandria, Virginia 22313-1451

Sir:

Opposer, Honest Tea, Inc., by its attorneys, hereby moves for an extension of time of thirty (30) days of the discovery and testimony periods as set forth below:

<b>Matter</b>	<b>Current Date</b>	<b>Proposed Date</b>	
Expert Disclosures Due	08/03/2010	09/02/2010	
Discovery Closes	09/02/2010	10/04/2010	
Plaintiff's Pretrial Disclosures	10/17/2010	11/16/2010	
Plaintiff's 30-day Trial Period Ends	12/01/2010	12/31/2010	
Defendant's Pretrial Disclosures	12/16/2010	01/17/2011	
Defendant's 30-day Trial Period Ends	01/30/2011	03/01/2011	
Plaintiff's Rebuttal Disclosures	02/14/2011	03/16/2011	
Plaintiff's 15-day Rebuttal Period Ends	03/16/2011	04/15/2011	

The reason for this request is that the parties are in the process of negotiating a settlement of this dispute. At the time of this filing, a draft agreement has undergone rounds of review and negotiation by both Opposer and Applicant. Currently, revisions to Opposer's recent draft are under review with Applicant with the expectation of sending it to Opposer in the near future in furtherance of settlement. An extension of the case schedule will enable the parties to continue and conclude their settlement discussions. This motion is made in good faith, and not for the purpose of unnecessary delay.

Opposer's counsel has secured the express consent of all other parties to this proceeding for this 30-day extension.

Respectfully submitted,

By: Ira Levy


Ira J. Levy  
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Attorneys for Opposer  
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**CERTIFICATE OF SERVICE**

It is hereby certified that a true copy of the foregoing MOTION ON CONSENT FOR EXTENSION OF DISCOVERY AND TRIAL DATES was served by first class mail, postage prepaid, this 3<sup>rd</sup> day of August, 2010 upon the attorneys of record for the Applicant, as indicated below:

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