

ESTTA Tracking number: **ESTTA578694**

Filing date: **12/24/2013**

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

Proceeding.	91190444
Applicant	Plaintiff Detroit Tigers, Inc.
Other Party	Defendant LTB Operations LC
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	Yes

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

The Close of Discovery is currently set to close on 01/12/2014. Detroit Tigers, Inc. requests that such date be extended for 90 days, or until 04/12/2014, 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 :	03/13/2014
Discovery Closes :	04/12/2014
Plaintiff's Pretrial Disclosures :	05/27/2014
Plaintiff's 30-day Trial Period Ends :	07/11/2014
Defendant's Pretrial Disclosures :	07/26/2014
Defendant's 30-day Trial Period Ends :	09/09/2014
Plaintiff's Rebuttal Disclosures :	09/24/2014
Plaintiff's 15-day Rebuttal Period Ends :	10/24/2014

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Parties are engaged in settlement discussions*
- *Significant progress has been made toward the resolution of this matter. The parties continue to negotiate the one outstanding settlement issue relating to the use of Applicant's marks in certain contexts. Since the last extension request, Opposer's outside counsel discussed with Opposer's in-house counsel Applicant's most recent feedback on the one issue. Opposer's in-house counsel then discussed the matter internally, including with Opposer, and provided its feedback in connection with the same to Opposer's outside counsel. Opposer's outside counsel then communicated that feedback to Applicant's counsel, and revised the draft agreement to reflect the current position of the parties on the one outstanding issue. The revised draft agreement was then forwarded to Opposer's in-house counsel for review. The additional time is requested for Opposer's in-house counsel to complete the review of the*

revised draft agreement, and to forward the same to Applicant's counsel for review. The additional time is also requested to accommodate holiday schedules, including the closing of the offices of Opposer's in-house counsel from December 23, 2013 through January 1, 2014. If accepted by all parties, the revised draft agreement would resolve this matter without the need to proceed with the opposition proceeding or a related cancellation proceeding involving the parties' marks.

Detroit Tigers, Inc. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Detroit Tigers, 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 First Class Mail on this date.

Respectfully submitted,
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