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Filing date: **04/05/2010**

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

Proceeding	91192802
Party	Plaintiff Honest Tea, Inc.
Correspondence Address	Ira J. Levy GOODWIN PROCTER LLP 620 Eighth Avenue New York, NY 10018 UNITED STATES NY-TM-Admin@goodwinprocter.com, ilevy@goodwinprocter.com, hdietrick@goodwinprocter.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Ira J. Levy
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Signature	/ijl/
Date	04/05/2010
Attachments	802 motion.pdf ( 3 pages )(70051 bytes )

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

HONEST TEA, INC.

Opposer

vs-

IDAHOAN FOODS, LLC.

Applicant.

Opposition Nos 91192802  
91192804

S.N. 77977365

S.N. 77348528

Filed November 25, 2009

**SECOND RENEWED 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>	
Initial Disclosures Due	4/5/2010	5/5/2010	
Expert Disclosures Due	8/3/2010	9/3/2010	
Discovery Closes	9/2/2010	10/2/2010	
Plaintiff's Pretrial Disclosures	10/16/2010	11/16/2010	
Plaintiff's 30-day Trial Period Ends	11/31/2010	12/31/2010	
Defendant's Pretrial Disclosures	12/15/2010	1/15/2011	
Defendant's 30-day Trial Period Ends	1/30/2011	2/30/2011	
Plaintiff's Rebuttal Disclosures	2/14/2011	3/14/2011	
Plaintiff's 15-day Rebuttal Period Ends	3/13/2011	4/13/2011	

The reason for this request is that the parties continue to engage in discussions that indicate that this matter may be resolved amicably and in a reasonably short time. At the time of this filing, a draft agreement has undergone rounds of review and negotiation by both Opposer and Applicant. Currently, Applicant's recent draft is under review with Opposer with the expectation of sending it to Applicant 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,

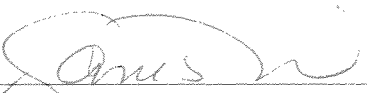
By: Ira Levy  
Ira J. Levy  
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Attorneys for Opposer  
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**CERTIFICATE OF SERVICE**

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 5<sup>th</sup> day of April, 2010 upon the attorneys of record for the Applicant, as indicated below:

Preston C. Regchr  
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