

ESTTA Tracking number: **ESTTA508296**

Filing date: **11/29/2012**

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

Proceeding.	91193663
Applicant	Plaintiff Guess? IP Holder L.P.
Other Party	Defendant Mario Foroni

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

The Close of Discovery is currently set to close on 12/29/2012. Guess? IP Holder L.P. requests that such date be extended for 60 days, or until 02/27/2013, 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 :	01/28/2013
Discovery Closes :	02/27/2013
Plaintiff's Pretrial Disclosures :	04/13/2013
Plaintiff's 30-day Trial Period Ends :	05/28/2013
Defendant's Pretrial Disclosures :	06/12/2013
Defendant's 30-day Trial Period Ends :	07/27/2013
Plaintiff's Rebuttal Disclosures :	08/11/2013
Plaintiff's 15-day Rebuttal Period Ends :	09/10/2013

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *The parties have been discussing settlement virtually from the outset of the case. In June 2010, Applicant proposed grounds for settlement. In October 2010, Opposer declined the Applicant's settlement proposal. In June 2011, Applicant proposed a new basis for settlement. In late June 2011, Opposer responded with a counteroffer. In November 2011, Applicant offered its own counteroffer for consideration by Opposer. On December 1, 2011, Opposer's counsel communicated Applicant's counterproposal to Opposer for consideration. In February, Opposer provided settlement instructions to Opposer's counsel. On April 2, 2012, Opposer's counsel communicated Opposer's response to Applicant's counsel. On June 8, 2012, Opposer's counsel communicated a further offer to Applicant thereby narrowing their differences. Opposer is awaiting a response from the Applicant in Italy. Both parties are currently seeking to narrow their differences and resolve their dispute on a worldwide basis. The parties counsel most recently conferred this week by telephone regarding settlement.*

Guess? IP Holder L.P. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Guess? IP Holder L.P. 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,  
/Michael J. MacDermott/  
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