

ESTTA Tracking number: **ESTTA504899**

Filing date: **11/12/2012**

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

Proceeding.	91195671
Applicant	Plaintiff Clover Farms Dairy Company
Other Party	Defendant Clover-Stornetta Farms, Inc.

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

The Close of Plaintiff's Trial Period is currently set to close on 11/17/2012. Clover Farms Dairy Company requests that such date be extended for 30 days, or until 12/17/2012, 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 :	CLOSED
Discovery Closes :	CLOSED
Plaintiff's Pretrial Disclosures :	11/02/2012
Plaintiff's 30-day Trial Period Ends :	12/17/2012
Defendant's Pretrial Disclosures :	01/01/2013
Defendant's 30-day Trial Period Ends :	02/15/2013
Plaintiff's Rebuttal Disclosures :	03/02/2013
Plaintiff's 15-day Rebuttal Period Ends :	04/01/2013

The grounds for this request are as follows:

- *The parties have been diligent in moving this matter forward and have completed all written discovery, including mutual production of documents, answers to interrogatories, and responses to requests for admissions. The parties have recently renewed their settlement negotiations and believe they are close to completing a comprehensive agreement that will not only resolve the two applications and registration that are the subject of this consolidated proceeding, but also another pending application filed that is currently suspended, through an agreement to establish concurrent registrations in different geographies of the United States. The parties respectfully submit that a 30 day extension of time of their respective Testimony Periods, and all other remaining deadlines, is warranted to give them sufficient time to complete their negotiations and, if successful, prepare the relevant settlement documentation. Cancellation No.: 92052674, Opposition No.: 91195670 and Opposition No.: 91195671 were all consolidated under parent proceeding no.: 91195670. Instructions were given that any paper filed should have all three numbers in ascending order. The electronic consent form does not allow for this. Therefore, by way of abundant caution, requests are being filed in each case separately.*

Clover Farms Dairy Company has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Clover Farms Dairy Company 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,

/Tristram R. Fall, III/

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