

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

<p>DC Comics, Marvel Characters, Inc.</p> <p align="center">Registrants</p> <p align="center">Vs</p> <p>Robert Stanger</p> <p align="center">Applicant</p>	<p>Opposition No. 91199250</p> <p>Marks: SUPERHERO SMOOTHIE, SUPERHERO SMOOTHIE KIT</p> <p>Serial No. 85030352, 85030897</p> <p>Published: October 5, 2010</p>
---	--

**APPLICANT'S CONSENTED MOTION FOR EXTENSION OF TIME TO FILE
ANSWER**

Applicant, Robert Stanger, hereby moves the Honorable Board for a thirty day extension of time to file their answer. In accordance with this extension request, the parties request that the remaining due dates be reset as follows:

Matter	Current Date	Proposed Date
Time to Answer	5/11/2011	6/10/2011
Deadline for Discovery Conference	6/10/2011	7/10/2011
Discovery Opens	6/10/2011	7/10/2011
Initial Disclosures Due	7/10/2011	8/09/2011
Expert Disclosures Due	11/07/2011	12/07/2011
Discovery Closes	12/07/2011	01/06/2012
Plaintiff's Pretrial Disclosures	01/21/2012	02/20/2012



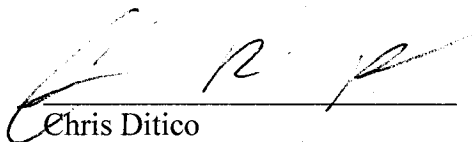
05-16-2011

Plaintiff's 30-day Trial Period Ends	03/06/2012	04/05/2012
Defendant's Pretrial Disclosures	03/21/2012	04/20/2012
Defendant's 30-day Trial Period Ends	05/05/2012	06/04/2012
Plaintiff's Rebuttal Disclosures	05/20/2012	06/19/2012
Plaintiff's 15-day Rebuttal Period Ends	06/19/2012	07/19/2012

This Motion is made with the consent of Opposer's counsel in view of the fact that the parties are continuing their settlement discussions.

Dated: May 3, 2011

Respectfully submitted,



Chris Ditico
Raj Abhyanker, P.C.
1580 W. El Camino Real, Suite 8
Mountain View, CA 94040
Phone: (650) 965-8731
Fax: (650) 989-2131
Attorneys for Applicant

CERTIFICATE OF MAILING AND SERVICE

I certify that on May 3, 2011, the foregoing **APPLICANT'S CONSENTED MOTION FOR EXTENSION OF TIME TO FILE ANSWER** is being served by email and mailing a copy thereof by first-class mail addressed to:

Jonathan D. Reichman, Esq.
Kenyon and Kenyon LLP
One Broadway
New York, NY 10004
UNITED STATES
tmcketny@kenyon.com, jreichman@kenyon.com, mmorris@kenyon.com

It is further certified that on May 3, 2011, the foregoing **APPLICANT'S CONSENTED MOTION FOR EXTENSION OF TIME TO FILE ANSWER** is being served via ESTTA and by mailing a copy thereof by first-class mail addressed to:

Commissioner for Trademarks
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandra, VA 22313-1451

By 

Chris Ditico
Raj Abhyanker, P.C.
1580 W. El Camino Real, Suite 8
Mountain View, CA 94040
Phone: (650) 965-8731
Fax: (650) 989-2131
Attorneys for Applicant

**United States Patent and Trademark Office**

Home | Site Index | Search | Guides | Contacts | eBusiness | eBiz alerts | News | Help

**Electronic System for Trademark Trials and Appeals****Receipt**

<RXJXEP\LMRQIKMEH\HQJFHLYHGIE\IKH1863721
 7KHIFROMQPII\RXJXEP\LMRQILMANGIEHQZ1
 <RXIPD\ISUQWIFFS\IRIKLVUHFHSWRUA\RXJUHFLGM

ESTTA Tracking number: **ESTTA406863**Filing date: **05/03/2011**

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

Proceeding.	91199250
Applicant	Defendant Stanger,Robert, Stanger, Robert
Other Party	Plaintiff DC Comics, Marvel Characters, Inc.

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

The Defendant's Time to Answer is currently set to close on 05/11/2011. Stanger,Robert, Stanger, Robert requests that such date be extended for 30 days, or until 06/10/2011, and that all subsequent dates be reset accordingly.

Time to Answer : 06/10/2011
Deadline for Discovery Conference : 07/10/2011
Discovery Opens : 07/10/2011
Initial Disclosures Due : 08/09/2011
Expert Disclosure Due : 12/07/2011
Discovery Closes : 01/06/2012
Plaintiff's Pretrial Disclosures : 02/20/2012
Plaintiff's 30-day Trial Period Ends : 04/05/2012
Defendant's Pretrial Disclosures : 04/20/2012
Defendant's 30-day Trial Period Ends : 06/04/2012
Plaintiff's Rebuttal Disclosures : 06/19/2012
Plaintiff's 15-day Rebuttal Period Ends : 07/19/2012

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

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

Stanger,Robert, Stanger, Robert 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,

/Christopher Ditico/

Christopher Ditico

cdditico@rajpatent.com, trademarks@rajpatent.com

tmcketny@kenyon.com, jreichman@kenyon.com, mmorris@kenyon.com

05/03/2011

[Return to ESTTA home page](#) [Start another ESTTA filing](#)

| [.HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)