

ESTTA Tracking number: **ESTTA560888**

Filing date: **09/23/2013**

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

Proceeding.	91207089
Applicant	Defendant Prince Tahina Ltd.
Other Party	Plaintiff New World Pasta Company
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	No

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

The Close of Discovery is currently set to close on 03/21/2014. Prince Tahina Ltd. requests that such date be extended for 30 days, or until 04/20/2014, 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 :	03/21/2014
Discovery Closes :	04/20/2014
Plaintiff's Pretrial Disclosures :	06/04/2014
Plaintiff's 30-day Trial Period Ends :	07/19/2014
Defendant's Pretrial Disclosures :	08/03/2014
Defendant's 30-day Trial Period Ends :	09/17/2014
Plaintiff's Rebuttal Disclosures :	10/02/2014
Plaintiff's 15-day Rebuttal Period Ends :	11/01/2014

The grounds for this request are as follows:

- *Applicant respectfully submits this motion with consent to extend its time to answer by 30 days. Applicant's most recent deadline to answer was August 23, 2013. Applicant obtained Opposer New World Pasta Company's consent to a 30 day extension of time to answer on the grounds that Opposer and Applicant have finalized a settlement agreement and are ready to sign such agreement. However, Applicant is awaiting the Board's action on an Amendment to Applicant's name which Applicant filed on August 15, 2013 before such settlement agreement can be signed. Applicant's failure to timely file its motion for a 30 day extension of time with consent to the August 23, 2013 deadline to answer was unintentional and due to inadvertent error. On August 26, 2013 Applicant filed a motion with consent to re-open discovery and extend its deadline to answer. If that motion were granted, the new deadline to answer would be today, September 23, 2013. In an abundance of caution, and for the foregoing reasons, Applicant respectfully requests that it be granted an additional 30 day extension of time to answer.*

Prince Tahina Ltd. has secured the express consent of all other parties to this proceeding for the extension

and resetting of dates requested herein.

Prince Tahina Ltd. 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 Facsimile or email (by agreement only) on this date.

Respectfully submitted,
/Kimberly B. Herman/
Kimberly B. Herman
kherman@sandw.com, jmajor@sandw.com
rshapiro@sasiplaw.com
09/23/2013