

ESTTA Tracking number: **ESTTA561675**

Filing date: **09/26/2013**

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

Proceeding	91209856
Party	Plaintiff The Mommy & Me Company
Correspondence Address	STEVEN D LUSTIG DICKINSON WRIGHT PLLC 1875 EYE STREET NW, SUITE 1200 WASHINGTON, DC 20006 UNITED STATES trademark@dickinsonwright.com, bderosa@dickinsonwright.com, slustig@dickinsonwright.com, cholder@dickinsonwright.com, malcantara@dickinsonwright.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Steven D. Lustig
Filer's e-mail	trademark@dickinsonwright.com, bderosa@dickinsonwright.com, slustig@dickinsonwright.com, cholder@dickinsonwright.com, malcantara@dickinsonwright.com
Signature	/Steven D. Lustig/
Date	09/26/2013
Attachments	DC-#231868-v1-Motion_for_Suspension_With_Consent.pdf(29271 bytes)

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

_____)	
THE MOMMY & ME COMPANY)	
)	
Opposer,)	
)	
v.)	Opposition No. 91209856
)	Application No. 85/411,159
STX, INC.)	
)	
Applicant.)	
_____)	

MOTION FOR EXTENSION OF TRIAL PERIODS WITH CONSENT

The parties are actively engaged in negotiations for the settlement of this matter. In that regard, the settlement terms have been finalized, but an agreement has not been executed. Additionally, the Board is respectfully informed that the required Discovery Conference was conducted on May 28, 2013.

In view of the ongoing settlement negotiations and efforts, Opposer, The Mommy & Me Company, and Applicant, Stx, Inc., request that the trial periods in this proceeding be extended for 30 days to allow the parties to continue their settlement efforts. The requested new trial dates are set forth below:

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	CLOSED
Initial Disclosures Due :	10/26/2013
Expert Disclosures Due :	02/23/2014
Discovery Period to Close :	03/25/2014
Plaintiff Pretrial Disclosures :	05/09/2014
Plaintiff's 30-day Trial Period Ends :	06/23/2014

Defendant's Pretrial Disclosures :	07/08/2014
Defendant's 30-day Trial Period ends :	08/22/2014
Plaintiff's Rebuttal Disclosures :	09/06/2014
Plaintiff's 15-day Rebuttal Period Ends :	10/06/2014
Expert Disclosures Due :	01/24/2014
Discovery Period to Close :	02/23/2014
Plaintiff Pretrial Disclosures :	04/09/2014
Plaintiff's 30-day Trial Period Ends :	05/24/2014
Defendant's Pretrial Disclosures :	06/08/2014
Defendant's 30-day Trial Period ends :	07/23/2014
Plaintiff's Rebuttal Disclosures :	08/07/2014
Plaintiff's 15-day Rebuttal Period Ends :	09/06/2014

The Mommy & Me Company has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein. The Mommy & Me 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.

In view thereof, further action is respectfully solicited.

Respectfully submitted

THE MOMMY & ME COMPANY



Steven D. Lustig
Counsel for Opposer
Dickinson Wright PLLC
1875 Eye Street, N.W., Ste 1200
Washington, DC 20006
Telephone: (202) 457-0160
Facsimile: (202) 659-1559

Date: September 26, 2013

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion For Extension Of Trial Periods With Consent is being forwarded this 26th day of September, 2013 to Counsel for Applicant by e-mail, addressed to:

Ross B Jones
MERRILL ARNONE & JONES LLP
3554 Round Barn Blvd , Ste 303
Santa Rosa, CA 95403-0932
rossjones@majlaw.com



Steven D. Lustig