

ESTTA Tracking number: **ESTTA554635**

Filing date: **08/16/2013**

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

Proceeding	91210549
Party	Defendant Forbidden Fruit Ciderhouse, LLC
Correspondence Address	JOSHUA J RICHMAN IP LEGAL ADVISORS PC 4445 EASTGATE MALL, SUITE 200 SAN DIEGO, CA 92121 UNITED STATES litigation@ipla.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Joshua J. Richman
Filer's e-mail	litigation@ipla.com
Signature	/Joshua J. Richman/
Date	08/16/2013
Attachments	2013-08-16 - Amended Consent Motion to Extend Discovery and Trial Dates.pdf(119742 bytes)

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

Outcider, LLC,)	
)	Opposition No. 91210549
Opposer,)	
)	
v.)	Mark: OUTCIDER
)	Serial No. 85793367
Forbidden Fruit Ciderhouse, LLC,)	Filing Date: December 3, 2012
)	Published: March 12, 2013
Applicant.)	
)	
)	

AMENDED CONSENT MOTION TO EXTEND DISCOVERY AND TRIAL DATES

On August 16, 2013, Applicant filed a document titled Consent Motion to Extend Discovery and Trial Dates (Doc. No. 7), however mistakenly indicated in the ESTTA online fillable form that the motion was without Opposer’s consent. Applicant hereby withdraws the aforementioned filing and requests that the Board consider this Amended Consent Motion in its place.

Applicant, Forbidden Fruit Ciderhouse, LLC, through its counsel of record, hereby requests that the Trademark Trial and Appeal Board extend the discovery and trial dates in the above-identified proceeding by thirty (30) days, up to and including the dates set forth in the table below.

Action	Current Deadline	Extended Deadline
Initial Disclosures Due	08/18/2013	09/17/2013
Expert Disclosures Due	12/16/2013	01/15/2014
Discovery Closes	01/15/2014	02/14/2014
Opposer’s Pretrial Disclosures	03/01/2014	03/31/2014
Opposer’s 30-day Trial Period Ends	04/15/2014	05/15/2014
Applicant’s Pretrial Disclosures	04/30/2014	05/30/2014

Applicant's 30-day Trial Period Ends	06/14/2014	07/14/2014
Opposer's Rebuttal Disclosures	06/29/2014	07/30/2014
Opposer's 15-day Rebuttal Period Ends	07/29/2014	08/28/2014

This motion is not for purposes of delay. The parties require additional time in order to discuss settlement options.

In email correspondence on August 14, 2013, Applicant's counsel obtained the consent of Opposer's counsel to the granting of this motion.

Applicant respectfully requests that the Board grant the requested extension.

Dated: August 16, 2013

/Joshua J. Richman/

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CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2013 a copy of the foregoing was served by email to the email addresses indicated below, pursuant to an agreement between the parties regarding e-mail service.

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Dated: August 16, 2013

/Cristina Nathan/

Cristina Nathan