

ESTTA Tracking number: **ESTTA607328**

Filing date: **05/30/2014**

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

Proceeding.	91216122
Applicant	Defendant Evergram, Inc
Other Party	Plaintiff Instagram, LLC
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 Defendant's Time to Answer is currently set to close on 06/07/2014. Evergram, Inc requests that such date be extended for 60 days, or until 08/06/2014, and that all subsequent dates be reset accordingly.

Time to Answer :	08/06/2014
Deadline for Discovery Conference :	09/05/2014
Discovery Opens :	09/05/2014
Initial Disclosures Due :	10/05/2014
Expert Disclosure Due :	02/02/2015
Discovery Closes :	03/04/2015
Plaintiff's Pretrial Disclosures :	04/18/2015
Plaintiff's 30-day Trial Period Ends :	06/02/2015
Defendant/Counterclaim Plaintiff's Pretrial Disclosures :	06/17/2015
30-day Trial Period for Defendant and Plaintiff in the Counterclaim :	08/01/2015
Counterclaim Defendant's and Plaintiff Rebuttal Disclosures Due :	08/16/2015
30-day Trial Period for Counterclaim Defendant and Rebuttal Testimony as Plaintiff ends :	09/30/2015
Counterclaim Plaintiff's Rebuttal Disclosures Due :	10/15/2015
15-day Rebuttal Period for Counterclaim Plaintiff Ends :	11/14/2015
Plaintiff's Trial Brief Due :	01/13/2016
Defendant's Trial Brief and Plaintiff in the Counterclaim Due :	02/12/2016
Brief for Defendant in the Counterclaim and Reply Brief, if any, for Plaintiff Due :	03/13/2016
Reply Brief, if any, for Plaintiff in the Counterclaim Due :	03/28/2016

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

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

Evergram, Inc 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,  
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05/30/2014