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

Proceeding	91219198
Party	Plaintiff Matt Brewing Co., Inc.
Correspondence Address	THEODORE C MAX SHEPPARD MULLIN RICHTER & HAMPTON LLP 30 ROCKEFELLER PLAZA NEW YORK, NY 10112-0015 UNITED STATES docketing@sheppardmullin.com, ipdocketingdc@sheppardmullin.com, tmax@sheppardmullin.com, tbaker@sheppardmullin.com 212-653-8700
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Theodore C. Max
Filer's email	tmax@sheppardmullin.com, tbaker@sheppardmullin.com, hpaik@sheppardmullin.com, ipdocketingdc@sheppardmullin.com
Signature	/Theodore C. Max/
Date	10/03/2018
Attachments	Consent Motion to Extend - 91219198 Adirondack Brewery - Oct. 3, 2018.pdf(26450 bytes)

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

MATT BREWING CO., INC.)	<i>In re</i> Serial No. 86/027053
)	Mark: ADIRONDACK
)	BREWERY
)	
)	Opposition No.: 91219198
Opposer,)	
)	
v.)	
)	
ADIRONDACK PUB & BREWERY, INC.)	
)	
Applicant.)	

Consent Motion to Extend Discovery and Trial Dates

Opposer Matt Brewing Co., Inc. (“Matt Brewing”), through its undersigned counsel, hereby moves to extend the remaining discovery and trial dates in the above-captioned opposition proceeding by ninety (90) days, up to and including the dates set forth in the table below. Counsel for Applicant Adirondack Pub & Brewery, Inc. (“Adirondack”) has consented to this Motion.

The motion is not for purposes of delay. Due to scheduling issues of both parties and the active litigation demands of counsel in the past few months, which could not have been anticipated when the parties moved for the extension on July 5, 2018, the parties now require additional time to complete discovery, namely, completing depositions, as well as resolving outstanding discovery issues relating to the discovery responses and document production to date. During the past few weeks, principals of the parties have spoken directly to discuss settlement terms and make genuine efforts to work toward an amicable resolution to this matter. As part of that effort, the Applicant’s principal has advanced a settlement proposal, which is

currently under consideration. At the same time, the parties are continuing to confer and correspond to set mutually agreeable dates for both sides to complete discovery depositions and work through any additional issues regarding discovery in the next few months.

The parties consent to and request the resetting of dates as follows:

Action	Current Deadline	Extended Deadline
Discovery Closes:	Oct. 3, 2018	Jan. 1, 2019
Plaintiff's Pretrial Disclosures Due:	Nov. 17, 2018	Feb. 15, 2019
Plaintiff's 30-day Trial Period Ends:	Jan. 1, 2019	Apr. 1, 2019
Defendant's Pretrial Disclosures Due:	Jan. 16, 2019	Apr. 16, 2019
Defendant's 30-day Trial Period Ends:	Mar. 2, 2019	May 31, 2019
Plaintiff's Rebuttal Disclosures Due:	Mar. 17, 2019	Jun. 15, 2019
Plaintiff's 15-day Rebuttal Period Ends:	Apr. 16, 2019	Jul. 15, 2019
Plaintiff's Opening Brief Due:	Jun. 15, 2019	Sept. 13, 2019
Defendant's Brief Due:	Jul. 15, 2019	Oct. 13, 2019
Plaintiff's Reply Brief Due:	Jul. 30, 2019	Oct. 28, 2019
Request for Oral Hearing (Optional) Due:	Aug. 9, 2019	Nov. 7, 2019

For the reasons set forth above, Opposer respectfully requests that the Board grant the requested extension.

Dated: October 3, 2018

Respectfully submitted,

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By: /s/ Theodore C. Max

THEODORE C. MAX
Attorneys for Opposer
MATT BREWING CO., INC.

30 Rockefeller Plaza
New York, New York 10112
Telephone: (212) 653-8700
Facsimile: (212) 653-8701

CONSENT

Applicant Adirondack Pub & Brewery, Inc hereby consents to Matt Brewing Co. Inc.'s
Consent Motion to Extend Discovery and Trial Dates as set forth above.

Respectfully submitted,

Dated: October 3, 2018

By: /s/Charles H. Knull
CHARLES H. KNULL
KNULL P.C.
The Film Center Building Suite 405
630 Ninth Avenue
New York, New York 10036
Tel. (646) 233-1376

Attorneys for Applicant,
Adirondack Pub & Brewery, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on October 3, 2018, I caused a copy of the foregoing OPPOSER MATT BREWING CO., INC.'s MOTION TO EXTEND DISCOVERY AND TRIAL DATES TO APPLICANT ADIRONDACK PUB & BREWERY, INC. to counsel of record for Applicant Adirondack Pub & Brewery, Inc. at the following email addresses:

Charles H. Knull, Esq.

chk@knullpc.com

Kate Rieber, Esq.

kate@knullpc.com

Knull P.C.

The Film Center Building Suite 405

630 Ninth Avenue

New York, New York 10036

/s/ Tyler E. Baker

TYLER E. BAKER