

ESTTA Tracking number: **ESTTA740734**

Filing date: **04/18/2016**

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

|  |                                       |
|--|---------------------------------------|
| Proceeding.  | 91219443                              |
| Applicant  | Plaintiff<br>Strategic Partners, Inc. |
| Other Party  | Defendant<br>Koi Design LLC           |
| Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)? | Yes                                   |

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

The 30-day testimony period for Plaintiff closes is currently set to close on 05/01/2016. Strategic Partners, Inc. requests that such date be extended for 60 days, or until 06/30/2016, 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 :   | CLOSED     |
| Discovery Closes :  | CLOSED     |
| Plaintiff's Pretrial Disclosures :  | 05/16/2016 |
| Plaintiff's 30-day Trial Period Ends :  | 06/30/2016 |
| Defendant/Counterclaim Plaintiff's Pretrial Disclosures :                                 | 07/15/2016 |
| 30-day Trial Period for Defendant and Plaintiff in the Counterclaim :                     | 08/29/2016 |
| Counterclaim Defendant's and Plaintiff Rebuttal Disclosures Due :                         | 09/13/2016 |
| 30-day Trial Period for Counterclaim Defendant and Rebuttal Testimony as Plaintiff ends : | 10/28/2016 |
| Counterclaim Plaintiff's Rebuttal Disclosures Due :                                       | 11/12/2016 |
| 15-day Rebuttal Period for Counterclaim Plaintiff Ends :                                  | 12/12/2016 |
| Plaintiff's Trial Brief Due :   | 02/10/2017 |
| Defendant's Trial Brief and Plaintiff in the Counterclaim Due :                           | 03/12/2017 |
| Brief for Defendant in the Counterclaim and Reply Brief, if any, for Plaintiff Due :      | 04/11/2017 |
| Reply Brief, if any, for Plaintiff in the Counterclaim                                    | 04/26/2017 |

Due :

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*

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

Strategic Partners, 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 First Class Mail on this date.

Respectfully submitted,

/Ilse C. Scott/

Ilse C. Scott

iscott@mrlp.com, dlee@mrlp.com, ncarino@mrlp.com

don@donthornburgh.com, mastroiannilaw@yahoo.com

04/18/2016