

ESTTA Tracking number: **ESTTA780930**

Filing date: **11/04/2016**

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

Proceeding.	91225571
Applicant	Defendant Frito-Lay North America, Inc.
Other Party	Plaintiff Nestle USA, Inc.
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 11/04/2016. Frito-Lay North America, Inc. requests that such date be extended for 30 days, or until 12/04/2016, and that all subsequent dates be reset accordingly.

Time to Answer :	12/04/2016
Deadline for Discovery Conference :	01/03/2017
Discovery Opens :	01/03/2017
Initial Disclosures Due :	02/02/2017
Expert Disclosure Due :	06/02/2017
Discovery Closes :	07/02/2017
Plaintiff's Pretrial Disclosures :	08/16/2017
Plaintiff's 30-day Trial Period Ends :	09/30/2017
Defendant's Pretrial Disclosures :	10/15/2017
Defendant's 30-day Trial Period Ends :	11/29/2017
Plaintiff's Rebuttal Disclosures :	12/14/2017
Plaintiff's 15-day Rebuttal Period Ends :	01/13/2018

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

Frito-Lay North America, Inc. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Frito-Lay North America, 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,

/Jeanette S. Zimmer/

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