

ESTTA Tracking number: **ESTTA786581**

Filing date: **12/02/2016**

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 12/04/2016. Frito-Lay North America, Inc. requests that such date be extended for 60 days, or until 02/02/2017, and that all subsequent dates be reset accordingly.

Time to Answer :	02/02/2017
Deadline for Discovery Conference :	03/04/2017
Discovery Opens :	03/04/2017
Initial Disclosures Due :	04/03/2017
Expert Disclosure Due :	08/01/2017
Discovery Closes :	08/31/2017
Plaintiff's Pretrial Disclosures :	10/15/2017
Plaintiff's 30-day Trial Period Ends :	11/29/2017
Defendant's Pretrial Disclosures :	12/14/2017
Defendant's 30-day Trial Period Ends :	01/28/2018
Plaintiff's Rebuttal Disclosures :	02/12/2018
Plaintiff's 15-day Rebuttal Period Ends :	03/14/2018

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/
Jeanette S. Zimmer
trademarks@pepsico.com, jeanette.zimmer@pepsico.com, donna.j.sanders@pepsico.com
HHHamilton@hollandhart.com
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