

ESTTA Tracking number: **ESTTA738262**

Filing date: **04/06/2016**

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 04/08/2016. Frito-Lay North America, Inc. requests that such date be extended for 60 days, or until 06/07/2016, and that all subsequent dates be reset accordingly.

Time to Answer :	06/07/2016
Deadline for Discovery Conference :	07/07/2016
Discovery Opens :	07/07/2016
Initial Disclosures Due :	08/06/2016
Expert Disclosure Due :	12/04/2016
Discovery Closes :	01/03/2017
Plaintiff's Pretrial Disclosures :	02/17/2017
Plaintiff's 30-day Trial Period Ends :	04/03/2017
Defendant's Pretrial Disclosures :	04/18/2017
Defendant's 30-day Trial Period Ends :	06/02/2017
Plaintiff's Rebuttal Disclosures :	06/17/2017
Plaintiff's 15-day Rebuttal Period Ends :	07/17/2017

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 First Class Mail on this date.

Respectfully submitted,

/Jeanette S. Zimmer/

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